

Commonwealth of Virginia

EMERGENCY OPERATIONS PLAN

Volume 2

(2004)



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RECORD OF CHANGE

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PREFACE

After the Governor has requested and the President has declared a major disaster or emergency, federal assistance will be provided to help individuals, businesses, and local governments return to normal or pre-disaster conditions. Long-term recovery from a major disaster may continue for years. Such assistance is provided in accordance with the Stafford Act (the Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL 93-288, as amended).

This administrative plan explains the state's role in the delivery of such assistance. It addresses the declaration process, establishes a state organization with task assignments, and sets forth the operational concepts needed to implement the state's part of traditional federal disaster assistance programs. Three basic programs or categories of assistance are available: Individual Assistance, Public Assistance, and Hazard Mitigation.

A federal-state partnership is required. For most major disasters, federal and state officials will establish and collocate at a Disaster Field Office (DFO) near the disaster area. The DFO serves as the hub for the coordination of disaster assistance and recovery programs. It is typically operational within several weeks of the event and remains open for several months or longer as needed.

The scope of this plan is limited primarily to federal disaster assistance and long-term recovery. Short-term recovery activities that return vital life support systems to minimum operating standards over a period of several days are an extension of emergency response operations. Emergency preparedness and emergency response are addressed in the State Emergency Operations Plan, Volume 1: Basic Plan and in each local EOP.

In addition, the Commonwealth of Virginia has recently developed two programs to assist disaster victims when federal disaster assistance is either not adequate or not available. The Commonwealth Emergency Relief for Localities program is designed to assist local governments that suffer uninsured damages to public property (see Appendix 11). The State Disaster Recovery Task Force program assists local governments to assure that needed assistance is provided to local disaster victims and establishes a long-term recovery task force which the Governor would need to activate following a catastrophic disaster (see Appendix 13).

This plan is one of eight subplans or volumes that together constitute the State Emergency Operations Plan. Funding assistance for the maintenance and publishing of the component parts of the State EOP and for local EOPs is provided by the Federal Emergency Management Agency (FEMA) and all plans are in accordance with guidance provided by that agency.

CONTENTS

	<u>Page</u>
DISASTER RECOVERY PLAN	1
Goals and Strategy.....	1
Definitions and Acronyms.....	2
Appendix 1: Declaration Process.....	1-1
Appendix 2: Disaster Field Office Operations.....	2-1
Tab A: DFO Organization	
Appendix 3: Public Information	3-1
Appendix 4: Community Relations	4-1
Appendix 5: Individual Assistance.....	5-1
Tab A: Disaster Recovery Centers	
Tab B: Individual Assistance	
Appendix 6: SBA Disaster Loan Program	6-1
Appendix 7: Individual and Household Program (Other Needs Assistance).....	7-1
Tab A: Medical and Dental	
Tab B: Funeral	
Tab C: Personal Property	
Tab D: Transportation	
Tab E: Moving and Storage	
Tab F: Miscellaneous Expenses	
Tab G: Other Not Specified	
Appendix 8: Public Assistance	8-1
Tab A: FEMA-State Agreement	
Tab B: Applicant's Briefing Outline	
Tab C: Request for Public Assistance	
Tab D: State Emergency Management Applicant Checklist	
Tab E: Designation of Applicant's Agent	
Tab E-2: Applicant Assurance	
Tab F: Special Considerations Questions	
Tab G: Project Worksheet	
Tab G-2: Project Worksheet Instructions	
Tab H: Advance of Funds Request	
Tab I: Validation Worksheet	
Tab J: Fire Management Assistance Grant Program	

CONTENTS

(Cont.)

	<u>Page</u>
Appendix 9: Hazard Mitigation Grant Program	9-1
Appendix 10: Disaster Funding Financial Management.....	10-1
Appendix 11: Commonwealth Emergency Relief for Localities.....	11-1
Tab A: Notice of Interest Form	
Appendix 12: Crisis Counseling and Emergency Mental Health Services	12-1
Tab A: Facilities and Points of Contact	
Appendix 13: State Disaster Recovery Task Force.....	13-1
Tab A: Map of Active Localities	
Tab B: LDRTF Flow of Assistance	
Tab C: Local Assistance Points of Contact	
Tab D: Catastrophic Disaster Office Organization	
Tab E: Catastrophic Disaster Office Points of Contact	
Appendix 14: Donations Management.....	14-1
Tab A: Donations Offer Form	
Tab B: Agency Need Form	
Tab C: Individual Need Form	
Tab D: Donations Management Tracking System	
Tab E: Warehouse Operations	
Tab F: Warehouse Flow Chart	
Tab G: Sorting and Storage of Donated Goods	
Tab H: Food Storage	
Appendix 15: Historic Resources	15-1
Appendix 16: Legislative Liaison	16-1
Appendix 17: State Disaster Recovery Task Force	17-1
Appendix 18: Debris Management.....	18-1
Tab A: Public Assistance Program	
Tab B: Checklist for demolition of structures on private property	
Tab C: Criteria For FEMA Involvement With Regards To Private Property Debris Removal	
Tab D: FEMA – DR – 1491 – VA Eligibility Guidance	
Tab E: Right of Entry/Hold Harmless/Duplication of benefits	
Tab F: Pre-Placed Emergency Debris Contracts	
Tab G: Debris Collection, Transfer, and reduction sites safety audit form	

Tab H:	Environmental Consideration and Contracts for FEMA-1491-DR-VA
Tab I:	Field Guide for Removing Woody Debris from Properties- Eligible for or Listed on the National Register of Historic Places
Tab J:	Temporary Debris Storage and Reduction Sites
Tab K:	Debris Classifications

Appendix 19:	Environmental Liaison Management	19-1
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RECOVERY GOALS AND STRATEGY

GOAL

To provide for an efficient, integrated, and comprehensive transition process from response to recovery operations; effective disaster assistance to impacted individuals, localities, businesses and public agencies; long-term reconstruction activities, and mitigation initiatives.

STRATEGY

Short-term activities intended to return vital life-support systems to operation, mid-term activities focused on program delivery and long-term activities designed to return infrastructure systems to pre-disaster conditions, economic and cost recovery initiatives, as well as mitigation actions taken after the emergency to eliminate or reduce the long-term risk to human life and property.

Definitions and Acronyms

Appeal Authority - The state agency who makes decisions on applicant appeals related to Other Needs Assistance.

Applicant [Public Assistance] – A state agency, local government, or eligible private nonprofit organization, which receives an award and is accountable to the Grantee under the State’s Public Assistance grant.

Applicant [HMGP] – A state agency, local government, or eligible private nonprofit organization, Indian tribes, or authorized tribal organizations submitting an application to the GAR for assistance under the Hazard Mitigation Grant Program. An applicant becomes a subgrantee upon receipt of financial assistance.

Applicant [Individual & Household Program] - An individual or household who has applied for Individual & Household Program assistance.

Application – Refers to the initial request for Section 404 funding, as outlined in Section 206.436 of Federal 404 Regulations.

CFR – Code of Federal Regulations.

Community Services Boards – Community mental health, mental retardation, and substance abuse services in Virginia are provided directly and contractually through 38 community services boards (CSBs), one behavioral health authority (City of Richmond), and one city department (City of Portsmouth). The whole state is covered by these organizations. Cities and counties establish them, singly or in combination. They serve 200,000 Virginians annually and their total budgets exceed \$430 million. They are legally considered agents of the local government(s) that established them.

Crisis Counseling – The application of individual and group treatment procedures which are designed to ameliorate the mental and emotional crisis and their subsequent psychological and behavioral conditions resulting from a major disaster or its aftermath.

Custodial Care Facility – Those buildings, structures, or systems, including those for essential administration and support, which are used to provide institutional care for persons who require close supervision and some physical constraints on their daily activities for their self-protection, but do not require day-to-day medical care.

Declaration – An announcement of a Presidential determination that a natural catastrophe or other occasion or instance has occurred which requires federal assistance to supplement the Commonwealth and local efforts and resources to alleviate the damage, loss, hardship, or suffering caused thereby.

Dependent - Someone who is normally claimed as such on the federal tax return of another, according to the Internal Revenue Code. It may also mean the minor child who is living with a parent who does not actually claim the child on the tax return at the time of the disaster.

Disaster Field Office (DFO) – The office established in or near the designated disaster area that serves as the program and administrative headquarters for federal and state recovery operations. The DFO houses the Federal Coordinating Officer (FCO) and his support staff and, where possible, the State Coordinating Officer (SCO) and his support staff.

Disaster Recovery Center (DRC) - An information center, staffed by State, Federal and volunteer agencies, located within a federal disaster area where impacted residents may receive information and guidance on state-federal assistance programs.

Educational Facilities – Classrooms plus related supplies, equipment, machinery, and utilities of an educational institution necessary or appropriate for instructional, administrative, and support purposes, but does not include buildings, structures, and related items used primarily for religious purposes or instruction.

Educational Institution –

A. Any elementary school, as defined by Section 801(c) of the Elementary and Secondary Education Act of 1965.

B. Any secondary school, as defined by Section 801(h) of the Elementary and Secondary Education Act of 1965.

C. Any institution of higher education, as defined by Section 1201 of the Higher Education Act of 1965.

Eligibility Determinations - The process of deciding whether an applicant qualifies for assistance for necessary expenses and serious needs, and if so, the dollar amount for each.

Emergency Facility – Those buildings, structures, equipment, or systems used to provide emergency services such as fire protection, ambulance, or rescue, to the general public, including the administrative and support facilities essential to the operation of such emergency facilities even if not contiguous.

Emergency Work – That work which must be done immediately to save lives and to protect improved property and public health and safety, or to avert or lessen the threat of a major disaster.

Facility – Any publicly- or privately owned building, works, system, or equipment, built or manufactured, or an improved and maintained natural feature. Land used for agricultural purposes is not a facility.

Federal Coordinating Officer (FCO) – The senior federal official appointed by the Director of FEMA to coordinate the overall recovery following a Presidentially-declared major disaster. The FCO represents the President for the purposes of coordinating the administration of federal disaster assistance in accordance with the provisions of the Stafford Act.

Federal Emergency Management Agency (FEMA) – The Federal agency responsible for coordinating disaster recovery efforts. The term used in this plan when referring to the Regional Director, or the Disaster Recovery Manager, of FEMA Region III.

FEMA-State Agreement – A formal legal document stating the understandings, commitments, and binding conditions for assistance applicable as the result of the major disaster or emergency declared by the President.

Financial Assistance - Cash that may be provided to eligible individuals and households, usually in the form of a check or electronic funds transfer.

Force Account – An applicant's own labor forces and equipment.

Governor's Authorized Representative (GAR) – The individual empowered by the Governor to represent him/her in activities related to the implementation of Public Law 93-288 and in ongoing state disaster/emergency preparedness, response, and hazard mitigation activities.

Governor's Authorized Representative (GAR) - The person named by the Governor in the FEMA/State agreement to execute, on behalf of the State, all necessary documents for disaster assistance and evaluate and transmit local government, eligible private non-profit facility, and state agency requests for assistance to the Regional Director following a major disaster or emergency declaration. The Director of the Virginia Department of Emergency Management serves in this capacity.

Grant – An award of financial assistance. The total amount eligible for the grant shall be based on 15 percent of the estimated total federal assistance provided under Sections 403, 406, 408, 410, 416, and 601 of the Stafford Act.

Grant Coordinating Officer (GCO) - The state official assigned the day-to-day management responsibility in the administrative plan for ONA.

Grantee – The government to which a grant is awarded and which is accountable for use of the funds provided. The grantee is the entire legal entity even if only a

particular component of the entity is designed in the grant award document. For purposes of this plan, the Commonwealth of Virginia is the grantee.

Group Flood Insurance Policy (GFIP) - A policy covering, flood disaster affected, individuals named by a State as recipients under Section 408 of the Stafford Act.

Hazard Mitigation - Any action taken to reduce or eliminate the long-term risk to life and property from natural or technological hazards. Any cost-effective measure that will reduce the potential for damage to a facility from a disaster event.

Hazard Mitigation Declaration – That part of a presidential declaration that specifies that federal aid, in addition to PA and/or IA, is authorized for hazard mitigation in specified political subdivisions. This determination is based on the PDA verification that the disaster has resulted in significant hazard mitigation opportunities. The Governor must specifically request a designation for hazard mitigation.

Hazard Mitigation Grant Program (HMGP) – The program authorized under Section 404 of the Act which may provide funding for certain mitigation measures identified through the evaluation of hazards conducted under Section 409 of the Act.

Hazard Mitigation Plan – The results of a systematic evaluation of the nature and extent of vulnerability to the effects of natural hazards present in society including the actions needed to minimize future vulnerability to hazards, as required under Section 409 of the Act.

Hazard Mitigation Plan Update – An update to the existing hazard mitigation plan, which may be accomplished either by updating the status of mitigation actions with the existing plan, or by expanding the existing plan to address additional hazards or mitigation issues.

Hazard Mitigation Survey Team (HMST) – A joint FEMA/state survey team activated following a disaster to quickly identify opportunities and issues to be addressed in the Section 409 Hazard Mitigation Plan.

Household - All persons (adults and children) who lived in the pre-disaster residence who request IHP assistance, as well as any persons, such as infants, spouse, or part-time residents who were not present at the time of the disaster, but who are expected to return during the assistance period.

Immediate Needs Funding (INF) – An advance of grant funds to assist applicants in paying for immediate needs that may require payment in the first 30 to 60 days after a disaster strikes. Such needs will be identified during the Preliminary Damage Assessment.

Immediate Threat – The threat of additional damage or destruction from an event that can reasonably be expected to occur within one year.

Improved Property – A structure, facility, or item of equipment, which was built, constructed, or manufactured. Land used for agricultural purposes is not improved property.

Individual Assistance (IA) Declaration - A Presidential Declaration that specifies that federal aid is authorized for individual assistance only. This determination is based upon the PDA verification that damages to homes and losses of personal property is great and largely uninsured and that damage to roads and other public buildings and facilities is negligible, well insured, or well within state/local ability to fund repairs.

Inspector - Contractor, retained by FEMA to perform inspections for the IHP/ONA program.

Interagency Hazard Mitigation Team (IHMT) – A team of representatives of federal agencies, state agencies, and local government that is activated following disasters to exchange information and coordinate government mitigation activities.

Letter of Intent – A form letter indicating applicant's interest in participating in the Hazard Mitigation Grant Program. The form is distributed by VDEM at the mitigation specific applicants' briefing.

Local Emergency Declaration - Condition declared by a local governing body when the threat or occurrence of an emergency or disaster is, or threatens to be, of sufficient severity and magnitude to warrant coordinated local government action to prevent or alleviate the damage caused thereby.

Local Government – Any county, city, township, or other political subdivision of the Commonwealth of Virginia.

Local Hazard Mitigation Officer (LHMO) – The local government employee assigned to coordinate activities of the local hazard mitigation team relative to a Presidential disaster declaration or state/local emergencies.

Local Hazard Mitigation Team (LHMT) – A team of individuals selected by local governments impacted by the disaster to assist state Hazard Mitigation Team with hazard mitigation activities in their areas.

Major Disaster – Any natural catastrophe, including any hurricane, tornado, storm, flood, high-water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, which, in the determination of the President of the United States is, or thereafter determined to be, of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act (P.L. 93-288 as amended by P. L. 100-707) to

supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship or suffering caused thereby and is so declared by the President.

Major Disaster Declaration - Any natural catastrophe that, in the determination of the President, causes damage of sufficient severity to warrant major disaster assistance under the provisions of the Stafford Act to supplement local/state efforts and resources.

Measure – A term used interchangeably with the term “project” to identify any mitigation action taken or proposed to reduce risk of future damage, hardship, loss, or suffering resulting from disasters.

Medical Facility – Any hospital, outpatient facility, rehabilitation facility, or facility for long-term care as such terms are defined in Section 645 of the Public Health Service Act (42 USC 2910) and any similar facility offering diagnosis or treatment of mental or physical injury or disease, including the administrative and support facilities essential to the operation of such medical facilities, even if not contiguous.

Mitigation Strategy – A document developed immediately after the disaster declaration by the State Hazard Mitigation Officer, in consultation with the State Coordinating Officer that identifies mitigation priorities for the 404 Hazard Mitigation Grant Program and for other hazard mitigation activities implemented in the declared area(s).

National Eligibility Criteria - The standard prescribed by FEMA that must be applied uniformly in determining eligibility for assistance.

National Emergency Management Information System (NEMIS) - Agency-wide telecommunications and applications software used to process disaster applications.

National Flood Insurance Policy (NFIP) – The federal program to identify flood-prone areas nationwide and make flood insurance available to those owners and renters of property.

National Flood Insurance Program - The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the Federal Government. If a community adopts and enforces a floodplain management ordinance to reduce future flood risk to new construction in floodplains, the Federal Government will make flood insurance available within the community as a financial protection against flood losses. This insurance is designed to provide an insurance alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods.

National Processing Service Center (NPSC) - A federal facility where applications for temporary housing and ONA are initially processed for verification and eligibility.

Natural Disaster – Any natural catastrophe, including any hurricane, tornado, storm high water, wind driven, tidal wave, tsunami, seiche, earthquake, volcanic eruption, landslide, mudslide, snowstorm, fire, or drought.

Necessary expense - The cost for acquiring an item, obtaining a service, or paying for any other activity that meets a serious need.

Non-participating Community - a community where Special Flood Hazard Areas (SFHAs) have been designated for at least one year and the community has elected not to join the NFIP.

ONA Case Processors - Employees who review inspection reports, determine eligibility, and recommend award amounts; or who conduct desk reviews of completed cases to determine compliance.

ONA Program Manager - The person responsible for the day-to-day support and administration of ONA in accordance with the State Administrative Plan, and authorizes funding obligations. This person and the GCO are the same.

Other Essential Government Services Facilities – Facilities such as museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops, and facilities which provide health and safety services of a governmental nature. All such facilities must be open to the general public.

Permanent Work – That restorative work that must be performed through repairs or replacement to restore an eligible facility on the basis of its pre-disaster design and current applicable standards.

Pre-application Form – A standard form, which provides basic details about the applicant, description of the project and estimated cost. The form is used to initially screen the potential projects for eligibility for the Hazard Mitigation Grant Program.

Pre-Disaster Design – The size and capacity of a facility as originally designed and constructed or subsequently modified by changes or additions to the original design. It does not mean the capacity at which the facility was being used at the time the major disaster occurred if different from the designed capacity.

Preliminary Damage Assessment – The on-site assessment by federal/state/local officials in each affected area to determine the impact and magnitude of damage caused by the disaster and resulting unmet needs of the public sector and the

community as a whole. The identification of “immediate needs” may result in emergency work being funded immediately upon declaration.

Preliminary Damage Assessment (PDA) - A combined federal/state agency team which visits each affected city and county in the disaster area to verify the magnitude of damage and to determine whether or not a request for federal disaster assistance is justified.

Presidential Declaration of Emergency - A condition for which, in the opinion of the President, supplementary federal assistance is needed to assist state and local efforts to save lives and to protect property and public health and safety. When the President determines that an emergency exists involving an area for which the U.S. government has primary responsibility, he can issue an emergency declaration himself, after consultation with the Governor. A declaration of emergency does not authorize the full range of Stafford Act federal assistance programs that are authorized for a declaration of major disaster.

Presidential Declaration of Major Disaster – a condition for which, in the opinion of the President, supplementary federal assistance is needed to assist individuals and state and local officials in recovering from the impacts of a disaster. A declaration is made in response to the Governor’s request for specific federal programs authorized by The Stafford Act.

Primary Residence - The dwelling where the applicant normally lives during the major portion of the calendar year; or the dwelling which the applicant recently has moved into or acquired to move into. The primary residence is reasonably close to the applicant’s place of work or business. Recreational, vacation, or primarily income-producing property does not qualify as a primary residence.

Private Nonprofit Facility – Any private nonprofit educational, utility, emergency, medical, or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental-type services to the general public, and such facilities on Indian reservations. Further definition is as follows:

Private Nonprofit Organization – Any nongovernmental agency or entity that currently has:

A. An effective ruling letter from the U.S. Internal Revenue Service granting tax exemption under Section 501(c), (d), or (e) of the Internal Revenue Code of 1954, or

B. Satisfactory evidence from the state that the nonrevenue-producing organization or entity is a nonprofit one organized and doing business under state law.

Project – Used interchangeably with the term “measure.”

Project (also referred to as "Individual Project") – All work performed at a single site.

Project Worksheet – Form used to record eligible work and prepare a quantitative estimate.

Public Assistance (PA) Declaration - A Presidential Declaration that specifies that federal aid is authorized for public assistance only. This determination, based primarily on the results of the PDA, will consider the extent to which damage to personal property exists which is not covered by insurance.

Public Entity – An organization formed for a public purpose whose direction and funding are provided by one or more political subdivisions of the state.

Public Facility – The following facilities owned by a state or local government: any flood control, navigation, irrigation, reclamation, public power, sewage treatment and collection, water supply and distribution, watershed development, or airport facility; any nonfederal-aid street, road, or highway; any other public building, structure or system, including those used for educational, recreational, or cultural purposes, or any park.

Regional Director - The chief official of the Federal Emergency Management Agency regional office (Region III).

Safe - Secure from disaster-related health hazards.

Sanctioned Community - A community that has failed to adopt ordinances complying with the minimum floodplain management requirements of the NFIP, or the community has failed to adequately enforce the minimum floodplain management requirements of the NFIP, or its own floodplain management ordinances, and has been suspended from the NFIP.

Sanitary - Free of disaster-related health hazards.

Section 409 Hazard Mitigation Plan – The State Hazard Mitigation Plan that is required as a condition of receiving federal disaster assistance under Section 409 of Public Law 93-288, as amended. The Section 409 Plan is the basis for the identification of measures to be funded under Section 404. The State Hazard Mitigation Plan is also an annex of the State Emergency Operations Plan and is promulgated to all state agencies and local governments.

Section 409 Projects – Projects proposed by eligible applicants through the State Hazard Mitigation Officer and Team to FEMA for implementation following a Presidential Disaster Declaration.

Serious need - The requirement for an item or service essential to an individual or family to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

Small Business Administration (SBA) - Disaster Loan Program is a federal program that provides loans to individuals for repair, rehabilitation or replacement of damaged real and personal property not fully covered by insurance.

Special Considerations – Issues that involve insurance, hazard mitigation, historic preservation, and environmental reviews as they relate to Public Assistance Program funding.

Special Flood Hazard Area (SFHA) - An area having special flood, mudslide, mudflow, and/or flood-related erosion hazards, and shown on an FHBM or FIRM as A or V zones.

Standards – Codes, specifications, or standards for the construction of facilities, to include legal requirements for additional features. Such standards may be different for new construction and repair.

State Administrative Plan for the Hazard Mitigation Grant Program – This plan, developed by the state, which describes the procedures for administration of the Hazard Mitigation Grant Program.

State Coordinating Officer (SCO) – The state official appointed by the Governor to coordinate with the FCO to administer federal disaster assistance programs in accordance with the provisions of the Stafford Act.

State Hazard Mitigation Committee – A group of individuals appointed by the directors of state agencies with hazard mitigation responsibilities or programs who will assist with hazard mitigation activities related to Sections 404 and 409 of Public Law 93-288 and to other ongoing activities of the state Hazard Mitigation Program.

State Hazard Mitigation Officer (SHMO) – The individual designated by the GAR as the responsible individual on all matters related to the Section 404 Hazard Mitigation Grant Program, the Section 409 Hazard Mitigation Planning Program, and the coordinated State Hazard Mitigation Planning Program.

State Hazard Mitigation Plan – As an annex to the State Emergency Operations Plan, the hazard mitigation plan is used as a means of identifying natural and assessing risks across the state. It is also the means of identifying and assessing hazard mitigation opportunities that will reduce the threat to people and property. Following Presidentially declared disasters; this plan will coincide with the Section 409 Plan and fall under its authorities and responsibilities.

State Hazard Mitigation Program - An ongoing program involving a coordinated effort of most state agencies to reduce the risks to people and property from natural hazards. During and following periods of Presidentially-declared disasters, this program will coincide with activities required under Sections 404 and 409 of Public Law 93-288 and the associated FEMA federal regulations.

State Human Services Officer (SHSO) – The State official responsible for establishing and maintaining working relationships with federal, state, and local government agencies and other human needs organizations; developing state policy for human services disaster assistance/relief programs; and managing, administering, and coordinating emergency preparedness, response and recovery assistance for individual disaster victims and disaster impacted businesses, as set forth in applicable federal and state regulations.

State of Emergency Declaration (State) - Executive order signed by the Governor declaring a state of emergency to exist in certain jurisdictions or geographical segments of the Commonwealth or the entire Commonwealth. Necessary for commitment of state resources and a precondition for petitioning/receiving supplementary federal assistance.

Sub grant - An award of financial assistance under a grant by the Grantee to an eligible Sub grantee. The Sub grant is a cost-share award providing 75 percent of the estimated costs of a hazard mitigation project from federal sources. The state, the local government, the Subgrantee, or other source may provide the 25 percent nonfederal share.

Sub grantee – The government or other legal entity to which a Sub grant is awarded and which is accountable to the Grantee for the use of the funds provided. Sub grantees can be a state agency, a local unit of government, a private nonprofit organization that provides essential government services, or Indian tribe as outlined in Section 206.433 of Section 404 Federal Regulations.

Supplement – The request that the state submits to FEMA to add or modify measure(s) for which Section 404 funding is requested, as outlined in Section 206.436. The application plus all supplements identify the total number of measures for which funding is requested.

Utility – Buildings, structures, or systems of energy, communication, water supply, sewage collection and treatment, or other similar public service facilities.

VDEM – Virginia Department of Emergency Management.

Verification - The process by which FEMA and the State confirm and document the disaster-related necessary expenses and serious needs of each applicant.

Virginia Department of Emergency Management (VDEM) - The State agency established and charged by law to coordinate all emergency/ disaster planning and response.

Virginia Department of Social Services (DSS) – The State agency responsible for the administration of ONA.

Virginia Uniform Statewide Building Code - The Virginia Uniform Statewide Building Code (USBC) contains the building regulations that must be complied with when constructing a new building or structure or an addition to an existing building, maintaining or repairing an existing building, or renovating or changing the use of a building or structure.

ACRONYMS

ARC	American Red Cross
DFO	Disaster Field Office
DRC	Disaster Recovery Center
EA	Expedited Assistance
FEMA	Federal Emergency Management Agency
FCO	Federal Coordinating Officer
GAR	Governor's Authorized Representative
GCO	Grant Coordinating Officer
GFIP	Group Flood Insurance Policy
IAO	Individual Assistance Officer
IHP	Individual and Households Program
NEMIS	National Emergency Management Information System
NFIP	National Flood Insurance Program
NPSC	National Processing Service Center
NTC	National Tele-registration Center
ONA	Other Needs Assistance
PIO	Public Information Officer
SBA	Small Business Administration
SCO	State Coordinating Officer
SHSO	State Human Services Officer
SAP	State Administrative Plan
SPHA	Special Flood Hazard Areas
VDEM	Virginia Department of Emergency Management
VDSS	Virginia Department of Social Services
VOAD	Voluntary Organizations Active in Disaster

Appendix 1:
DECLARATION PROCESS
Contact: Mary Camp, VDEM, (804) 897-6500, ext. 6583

PURPOSE

To outline procedures for the Governor to declare a state of emergency and to request a major disaster declaration or an emergency declaration from the President.

CONCEPT OF OPERATIONS

- A. Based on reports of actual events or on the forecast or prediction of emergency conditions, the Governor will declare a state of emergency in accordance with § 44-146.17 of the Code of Virginia.
- B. Within 24 hours of an emergency or disaster event, each affected city and county should submit a Local Situation Report (sitrep) to the State EOC.
- C. Following a major emergency or disaster event, each affected city and county should also submit an official Initial Damage Assessment (IDA) report as soon as specific damage information is available and not later than 72 hours after the peak of the event
- D. Once Local Situation and Initial Damage Assessment reports and supplemental on-site surveys of damaged areas indicate that an incident is, or may be, beyond the recovery capabilities of state and local governments, the state will request assistance from FEMA to conduct a more thorough joint federal/state Preliminary Damage Assessment (PDA). The state should request a PDA as soon as it has collected enough information to indicate a need for federal involvement.
- E. A Preliminary Damage Assessment (PDA) is an on-site survey of affected areas by federal and state officials to determine the impact and magnitude of damages caused by the storm or event. The PDA is usually conducted prior to an official request from the Governor for a declaration of major disaster or emergency from the President. The results of the PDA will determine whether or not the President issues a disaster declaration. The PDA is also used by the state as a basis for the Governor's request for a Presidential disaster-declaration and by FEMA to document their recommendation to the President in response to the Governor's request. The PDA also serves as a management tool providing an accurate measure of the needs to be addressed by applicable state and federal disaster assistance programs.
- F. Depending upon the local damage reports, PDA teams will be organized to assess damage to private property (Individual Assistance) or public property (Public Assistance) or separate teams to assess both. Hazard Mitigation staff may be integrated into the other teams or conduct their assessments separately. Each team will conduct its own survey with its own organization, procedures, and forms. Reference the "Procedures for Conducting State/Federal Preliminary Damage Assessments," FEMA Region III, September 1994. A qualified state official will be assigned to each team.
- G. For events of unusual severity and magnitude, where it is readily apparent that there is a need for supplemental federal assistance, state and federal officials may delay the PDA until field assessment teams have completed an assessment of immediate lifesaving needs.

- H. If the state knows of local sites that need immediate funds they can request Immediate Needs Funding (INF) for those sites during the PDA or request for declaration. The President may then fund those sites immediately following a declaration of major disaster.
- I. State and federal officials managing the PDA process must have a basic understanding of the Stafford Act, executive orders, applicable regulations (see CFR Title 44), policies, and established procedures governing the various federal disaster assistance programs described in this plan.
- J. Preliminary Damage Assessment (PDA) Process

PDA is an essential part of the federal declaration process. Within several days of the peak of the event, a team of trained federal, state, and local officials will conduct an on-site assessment in each affected city and county to verify the general magnitude of damage and the need to pursue a request for federal disaster assistance. Each local assessment quantifies the eligible amounts of damages for each of the two major federal disaster assistance programs: Public Assistance and Individual Assistance and clarifies the type of damage that occurred for mitigation considerations.

- 1. Public Assistance (Appendix 8)

Public damages include damages to roads, bridges, buildings, and public utilities facilities and systems if such facilities and systems are owned by a public or private nonprofit entity. To be eligible, damages must be uninsured and fall into one of the following seven categories.

- a. Category A – Debris Clearance

This category includes all storm-induced debris on nonfederal public roads (including the right-of-way), on nonfederal public waterways, or on other nonfederal public property. It can cover the cost of demolition of public structures if those structures were made unsafe by the disaster. It can also include a cleanup on private property by public service crews to protect public safety.

- b. Category B – Emergency Protective Measures

This category addresses the need to provide appropriate emergency measures designed to protect life, safety, property, and health in time of emergency. It can include such emergency activities as the building of sandbag floodwalls or the plowing of firebreaks to prevent the spread of wildfires.

- c. Category C – Road System

This category addresses damages to nonfederal roads, bridges, streets, culverts, and traffic control devices.

- d. Category D – Water Control Facilities

Eligible damages under this category include costs to repair or replace, dams, floodwalls, drainage channels, irrigation works, dikes, and levees.

e. Category E – Buildings and Equipment

Eligible damages under this category include the costs to: repair public buildings and equipment, repair transportation systems not covered under Category C, and replace damaged supplies.

f. Category F – Public Utility System

Under this category, assistance is available for damaged water systems, landfills, sanitary sewerage systems, storm drainage systems, and light/power facilities and systems.

g. Category G – Other

The “other” category includes park and recreational facilities or any other public facilities not covered under one of the other six categories.

2. Individual Assistance (Appendices 5, 6, and 7)

Determines the extent to which private homes and private businesses have been impacted by the disaster.

a. Damage to Homes and Other Property

During the PDA, trained assessors will estimate the degree of damage to each home, including the structure, furnishings and vehicles, seek information about the victim’s insurance coverage, and determine the habitability and type of the victim’s home.

b. Damage to Businesses

The PDA team will also quantify the degree of damage to each privately owned business and collect other pertinent information such as the extent of insurance coverage. The team may assess to what extent the damages to businesses may result in lost jobs or temporary layoffs.

3. Hazard Mitigation (Appendix 9)

Determines the type of damages caused by the event and makes preliminary identification of the types of mitigation actions that would reduce losses in future events.

K. Local Government Responsibilities

1. From the first day of increased readiness activities, and daily thereafter for the duration of the event, a Local Situation Report should be prepared and a copy provided by fax to the State EOC, thereby keeping the Governor informed of an impending or ongoing disaster event. The report following the event itself is especially important and should be submitted within 24 hours, even if damages are minimal.

2. A local emergency may be declared by the jurisdiction's Director of Emergency Services or, in his absence, by another member of the local elected governing body, with the consent of the entire local elected governing body within 14 days (see Section 44-146.21, Virginia Emergency Services and Disaster Law). The declaration of a local emergency activates the local Emergency Operations Plan and authorizes the provision of aid and assistance thereunder. The Coordinator of Emergency Services will notify the State EOC immediately upon the declaration of a local emergency. All appropriate locally-available forces and resources will be fully committed before requesting assistance from the state. All disaster-related expenditures must be documented in order to be eligible for post-disaster reimbursement should a federal disaster be declared.
3. Following a major emergency or disaster event, an official Initial Damage Assessment (IDA) report should be sent by each affected city and county to the State EOC as soon as specific damage information is available and not later than 72 hours after the peak of the event. Guidance and the form to be used for the submission of an IDA report are contained in the State EOP, Volume 1: Basic Plan.
4. For cities and counties where PDAs will be conducted, local officials will need to assist the federal/state teams by escorting them to damaged sites/areas and otherwise facilitating the assessment as needed.

L. State Government Responsibilities

1. Preparedness and Training
 - a. VDEM will develop and maintain an Initial Damage Assessment reporting system and capability, providing training to local officials as needed.
 - b. In coordination with other state agencies, VDEM will designate and train specialists to serve on PDA teams.
2. State of Emergency Declaration
 - a. The State Coordinator of Emergency Management will recommend to the Governor, in coordination with the Secretary of Public Safety, to declare a State of Emergency. Upon verbal declaration by the Governor and in consultation with appropriate staff within the Governor's Office, immediate notification of the declaration will be made to appropriate state and federal agencies via the State EOC and to the citizens via the news media.
 - b. In confirmation of the verbal declaration, VDEM will draft a written executive order with accompanying decision brief for the Governor's review and signature declaring a State of Emergency to exist in affected areas. For coordination purposes, copies are also provided to the Department of Planning and Budget (DPB), the Secretary of Public Safety, the Attorney General's Office, and the heads of other agencies affected by the declaration.
 - c. VDEM then activates the State Emergency Response Team as needed. Reference Volume 1: Basic Plan, Annex A.
3. Initial Damage Assessment (IDA)

- a. Each affected city and county will complete and submit to the State EOC an Initial Damage Assessment (IDA) report as soon as specific damage information is available and not later than 72 hours after the peak of the event.
 - b. The Virginia Department of Transportation (VDOT) and other affected state agencies will also complete and submit an IDA report. Information should be compiled by locality.
 - c. Upon receipt of an IDA report from each affected political subdivision within the disaster area and affected state agencies, VDEM will prepare an IDA Summary Report that reflects the statewide impact of the disaster. This assessment should provide as accurate a rough estimate as possible of the type and extent of insured and uninsured damages. In order to verify this information, state and local officials may need to make a quick survey of the damaged area by air or, if time permits, by vehicle.
 - d. Because it is likely to be based, at least in part, on unverified estimates, the IDA Summary Report is for internal use only and should not be released to the public.
 - e. If the IDA Summary Report reflects significant damage, a more thorough and accurate federal/state PDA will be needed.
4. Preliminary Damage Assessment (PDA)
- a. The state will request FEMA Region III assistance to perform a joint federal/state PDA when an incident occurs or is imminent, which in the opinion of the state's emergency management officials, may be beyond the emergency response and recovery capabilities of state and local governments.
 - b. In determining if a PDA is needed, VDEM will consult with FEMA Region III and provide the following information:
 - (1) Best estimate of the scope and severity of damages, to include an IDA Summary Report, if available.
 - (2) Location of geographic areas affected, urban or rural, type of terrain, and accessibility.
 - (3) Type of damage to be surveyed, such as private nonagricultural, residential, business, public roads, bridges, or state/local government- owned/operated facilities.
 - (4) Any known health and safety problems such as inaccessibility due to debris, high water, or damage to streets, roads, bridges; serious health hazards; requirements for emergency protective measures; widespread loss of essential utilities; and shortages of food, water, medical supplies and facilities.
 - c. Once FEMA and the state decide to conduct a PDA, VDEM will:
 - (1) Designate a State PDA Coordinator.

- (2) Provide the VDEM Individual Assistance Officer, or alternate, to coordinate the state's part of the Individual Assistance (or Human Services) part of the PDA process.
- (3) Provide the VDEM Public Assistance Officer, or alternate, to coordinate the Public Assistance (or Infrastructure and Support) part of the PDA process.
- (4) Provide the State Hazard Mitigation Officer, or alternate, to coordinate the state's part of the Hazard Mitigation part of the PDA process.
- (5) Consult with FEMA Region III to organize PDA teams for Individual Assistance (Human Services), Public Assistance (Infrastructure and Support), and Mitigation. Coordinate with other state agencies to provide other qualified personnel to serve on these PDA teams as needed.
- (6) Arrange for a facility in which a joint federal/state pre-deployment briefing can be provided for all PDA team members.
- (7) Request local officials in each political subdivision scheduled for a PDA to provide an escort to damaged sites and areas. Schedule PDA team deployments accordingly. Provide maps of affected areas.
- (8) Schedule and assist FEMA in conducting PDA visits to each affected city and county.
- (9) Obtain any necessary insurance information from the Insurance Commissioner, State Corporation Commission and from the State National Flood Insurance Program Coordinator at Department of Conservation and Recreation.
- (10) Obtain estimates of state disaster response expenses. These items consist of, as a minimum, damage figures for state and federal road systems, damage estimates for state-owned facilities (segregated by the city or county where the facility is located), expenses for debris clearance and emergency actions, and other unprogrammed costs (such as overtime) pertaining to state and local response to the disaster. These dollar figures are generally used to support the "significant state commitment" that must accompany the declaration request.

5. Presidential Declaration Request

- a. Based upon the results of the PDA and consultations with FEMA Region III and the Office of the Secretary of Public Safety, VDEM will prepare a letter with an accompanying decision brief for the Governor's review and signature. If approved by the Governor, it becomes an official request to the President for a declaration of a major disaster or an emergency in accordance with the Stafford Act. The original will be sent to the President at the White House, through the FEMA Regional Director in Philadelphia, Pennsylvania.

- b. After obtaining the Governor's signature, the letter is transmitted to the White House by the Governor's Office, to FEMA Region III by VDEM, and, if deemed appropriate, to affected members of the Virginia Congressional Delegation and interested members of the Virginia General Assembly. In the event of an emergency, an expedited letter can be used pending compilation of specific data.
- c. Generally, the threshold for a major disaster declaration for Public Assistance are per capita dollar figures of PDA-verified eligible damages to public property applied to both the state as a whole and to each affected city and county. The per capita thresholds are established by FEMA and are updated annually in consonance with the Consumer Price Index. A major disaster declaration for Individual Assistance is determined, in large part, by the number of homes destroyed and with major damage. Lesser damages may limit assistance to other federal avenues of specialized relief, to include the Farmers Home Administration (FmHA), the Department of Transportation (USDOT), the Environmental Protection Agency (EPA), and the U.S. Army Corps of Engineers (USCOE). Based upon the PDA, it may be decided that the Governor should send the disaster-declaration request only to the federal Small Business Administration (SBA) for a physical damage or economic impact declaration.
- d. Critical legal elements of information that must be included in the major disaster declaration request:
 - (1) Actions taken under state law (i.e., a state of emergency has been declared to exist; implementation of the State Emergency Operations Plan (EOP) has been directed).
 - (2) Estimates of amount and severity of damages/losses. These dollar figures are arranged in public damage categories A through G (see Appendix 8) and individual damage figures are aggregated by federal agency (i.e., SBA home/business loans, NRCS, FmHA, SCS, COE, etc.) and by individual assistance programs, such as the Individuals and Households Program (IHP), including Housing Assistance and Other Needs Assistance, the Disaster Unemployment Assistance (DUA) Program and the Crisis Counseling Grant.
 - (3) Estimate of the extent and nature of local/state resources that have been or will be used to alleviate the disaster for which no federal reimbursement will be requested.
 - (4) Preliminary estimates (if available or applicable) of types/amounts of supplemental federal disaster assistance needed under PL 93-288, the Stafford Act and what localities are being requested for what type of assistance.
 - (5) A certification by the Governor that there will be a sufficient amount of local/state funds obligated for the nonfederal share of costs for alleviating the effects of the disaster. Of this amount, indicate the state commitment portion, according to federal law. A certification that obligations and expenditures so identified will comply with all applicable cost-sharing requirements of the Stafford Act.
 - (6) If an Individual Assistance declaration is being sought, a certification by the Governor of his intent to implement the IHP Program.

- (7) Designation, by name, of a State Coordinating Officer for the disaster.
- e. Critical elements of information required to justify/support the Major Disaster Declaration request:
 - (1) A properly-filled-in Initial Damage Assessment (IDA) report from each affected locality and a summary report.
 - (2) Executive order signed by the Governor declaring a State of Emergency to exist in the affected jurisdiction(s) of the Commonwealth.
 - (3) Information concerning the extent of state agency response measures, in general terms.
 - (4) Damage assessment/verification by the local/state/federal Preliminary Damage Assessment (PDA) team(s).
 - (5) Estimated dollar cost figures obtained from selected state response agencies that will constitute the state's "significant commitment." These amounts are aggregated by Individual Assistance (IA) programs and by Public Assistance (PA) damage categories.
- f. Other Considerations
 - (1) Procedures for formally requesting a Presidential Emergency Declaration are essentially the same as those required for a Major Disaster Declaration.
 - (2) After the request for a Major Disaster Declaration has been approved, additional affected jurisdictions may be added as additional information is collected and verified. Additions must be requested within 30 days of the President's original declaration.
 - (3) Request for a Major Disaster Declaration must be submitted within 30 days of the occurrence of the disaster event. Any appeal of a declaration denial must be made within 30 days of the date of the denial letter.
 - (4) FEMA will recommend denial of any Major Disaster Declaration request when the requested assistance can be provided by other federal agencies under their statutory authorities and/or from volunteer agencies.
 - (5) Only the Governor, Lieutenant Governor, or their designee (must be authority predelegated by executive order tasking) in their absence, may request a Major Disaster Declaration.
 - (6) In the event of a catastrophe of unusual severity and magnitude, when a PDA is not necessary to determine the requirement for assistance, the Governor may communicate to the President requesting an emergency or major disaster declaration. This communication must contain the information outlined above.

- (7) Any additional declaration guidance for catastrophic events will be as reflected by the Federal Response Plan, April 1992 as amended in 1999, and the Mid-Atlantic States (FEMA Region III) Regional Response Plan, February 1993, as amended.

M. Federal Government Responsibilities

1. When requested by the state and if justified, organized and staffed a joint federal/state PDA team and conduct a thorough and complete damage assessment of the affected area(s).
 - a. The FEMA Regional Director will designate a PDA Team Leader(s) and other members of the PDA team(s) to include specialists familiar with Human Services, Infrastructure Support, and Mitigation as needed. A time frame for beginning and completing the PDA(s) process will be established.
 - b. Each PDA Team Leader will coordinate with his counterpart State PDA Team Leader in order to establish a place and time for the PDA Team Briefing and to identify the damaged localities to be surveyed.
 - c. Conduct the PDA Team Briefing for federal and state team members:
 - (1) Provide information regarding the disaster occurrence, types of damage to be surveyed, geographic locations, access problems, etc.
 - (2) Provide general damage assessment criteria and requirements.
 - (3) Form teams, which should be composed of at least one Federal Inspector, a State Inspector, and other specialized team members as needed.
 - (4) Assign each team to a specific geographical area for the inspection. Establish operating and reporting procedures. Provide telephone numbers where Team Leaders and Coordinators can be reached.
 - (5) Provide any other information that may be helpful such as: the extent of assistance already provided by the American Red Cross and other volunteer relief organizations, the unemployment rate in the affected area, the affected elderly population, and the general income level in the area.
 - d. During the PDA process, forms will be completed electronically for each potential project and the resulting data will be transferred daily to the FEMA database.
2. Establish a central point of contact for the collection and compilation of PDA reports from each PDA team.
3. Consult with the state in order to arrive at a shared understanding of the extent and scope of damages as reflected in the PDA report. Advise the state whether or not to submit a request for a Major Disaster Declaration from the President.
4. Advise the President as appropriate as he considers the declaration request.

5. Upon receipt of an approved Presidential Major Disaster Declaration, FEMA prepares and submits a formal FEMA/State Agreement to the state for signature by the Governor and other state officials. This document solidifies the binding legal conditions for receipt and administration of applicable federal disaster assistance.

AUTHORITIES AND REFERENCES

- A. The Robert T. Stafford Disaster Relief and Emergency Assistance Act (PL 93-288), as amended.
- B. 44 CFR, Part 206, Federal Disaster Assistance; Subpart B: The Declaration Process.
- C. Emergency Services and Disaster Law of 2000, Code of Virginia, as amended.
- D. State Coordinating Officer Toolkit, FEMA, 2001.

Appendix 2:
RESPONSE-RECOVERY OPERATIONS
Contact: Harry Colestock, VDEM, (804) 897-6500, ext. 6539

PURPOSE

To outline responsibilities, staffing requirements, and actions required in the transition from Response activities to full Recovery by the Commonwealth following a Major Disaster Declaration. This transition and the subsequent recovery operations will be associated with a federal-state integrated operation in a Disaster Field Office (DFO).

CONCEPT OF OPERATIONS

- A. The initiation of recovery programs usually begins while emergency response actions are still under way. In addition, several activities that begins in the response phase in the State EOC transition largely intact to the DFO. Important among these are the Preliminary Damage Assessment process described in Appendix 1, the functions of Information and Planning, Legislative Liaison, and Public Affairs. The actual staffing for these activities may change slightly depending on other mission requirements, but the need for continuity and experience in these areas requires a core cadre to be transferred to the DFO. These and other state staff functions are described below.
- B. Under the guidance of the State Coordinating Officer (SCO), senior VDEM staff will develop a staffing pattern for recovery operations at the earliest indication there could be a federal disaster declaration. The state-staffing plan will mostly parallel the federal functional organization plan reflected in the Federal Response Plan (FRP). The DFO staffing plan will be submitted to FEMA only after review and approval by the SCO. The staff identified for potential deployment to a DFO will be kept informed by the SCO on timing and procedures for the deployment with a deployment briefing being conducted prior to actual deployment. This briefing will provide information to all staff on the disaster event and their roles and responsibilities in the recovery phase of the event.
- C. Following the President's approval of a Major Disaster Declaration request, the state will assist FEMA in locating a suitable site for a DFO. The federal Emergency Response Team (ERT) Advance Element (ERT-A) logistics chief will normally coordinate the DFO location. The DFO will be the focal point for disaster recovery operations and should be located in close proximity to the disaster area. One or more DFOs may be established depending on the number of applicants and the geographic size of the affected area. The recovery actions in the DFO will not interfere with ongoing emergency response activities. However, there should be a formal transfer of any operational and other responsibilities from the VEOC to the DFO when the SCO determines the DFO is ready to do so. Following a major disaster of significant impact, the implementation of federal disaster assistance programs in accordance with the Stafford Act (tele-registration, SBA disaster loans, immediate needs funding, temporary housing, etc.) should start as early as practicable.
- D. The SCO or Deputy SCO should ensure that the set up of the state DFO organization is accomplished expeditiously. This activity normally includes close coordination with the federal logistics staff. Other start-up actions include tasking for the positions identified in the state DFO organizational chart (see Tab A); travel, lodging, and food arrangements when necessary; the establishment of reporting requirements; and the hiring of temporary personnel.

- E. The Federal Coordinating Officer (FCO) and the State Coordinating Officer (SCO) will collocate in the DFO, as will other federal and state essential personnel. The DFO will be set up along functional lines with each function having a federal/state work cell.
- F. The Governor's Authorized Representative (GAR) will negotiate and jointly execute a FEMA-State Agreement delineating special terms for the current disaster.
- G. FEMA will provide the required office furniture and equipment through least cost to government sources. State officials will coordinate with the appropriate individual designated by the FCO. Normally, all supplies will be centrally controlled and dispensed by the federal logistics section. The state DFO team will deploy to the DFO with pre-packaged kits as outlined in the State EOC Procedures Manual (SOP) for Emergency Operations.
- H. Most recovery programs will begin their operations in the DFO. Several, however, are established in the State EOC during emergency operations and must transition part or all of their operation to the DFO. That part of the Information and Planning group working the PDA process may also need to transition to the DFO.
- I. DFO Organization

The Federal Coordinating Officer (FCO), the State Coordinating Officer (SCO) and program managers from agencies providing disaster assistance will be located in the DFO. See Tab A. Also reference the State Coordinating Officer Toolkit, which explains roles and responsibilities and provides action checklists for each major program.

1. Administration and Support (State Contingent)

- a. In addition to program officers listed below, the state staff will normally include the SCO/GAR, SCO Secretary, Deputy SCO, Information and Planning Officers, Public Affairs Officer, Community Relations Officers, a Legislative Liaison Officer, a Finance Officer, a Logistics Officer, and other support staff as needed.
- b. Once the President has issued a Major Disaster Declaration, local Disaster Recovery Centers (DRCs) may be established to provide information and assistance to disaster victims applying for disaster assistance. DRCs will usually be sited in the worst hit areas to handle the maximum number of victims. The first option for siting will be for no-cost local government facilities. The provision of supplies and equipment will be a FEMA-State joint responsibility. State and federal personnel will jointly manage each DRC. VDEM will coordinate the presence of other assisting state agencies and organizations as needed.

2. State support to Local Disaster Recovery Task Forces

This is an ongoing organization that normally serves to support local officials by providing resources to meet the unmet needs of the victims of small-scale localized disasters. It will, however, assume a larger role as needed for larger disasters.

3. Donations Management

This program is designed to control the flow of solicited and unsolicited donated goods and services following a disaster. This activity will need to begin immediately following the event (see Appendix 14).

4. Individual Assistance (Appendices 5, 6, and 7)

- a. This office is responsible for “Human Services” activities as addressed in the Federal Response Plan.
- b. After a Major Disaster Declaration authorizing Individual Assistance (IA) has been issued by the President, the State Individual Assistance Officer will coordinate with a federal counterpart to ensure that federal and state plans and procedures for the implementation of IA programs are current and compatible. These programs are defined and described in 44 CFR, Part 206, Subparts D, E, and F.
- c. VDEM will preplan and implement an outreach program to inform disaster victims of available assistance (see Appendix 4). The primary means of applying for Individual Assistance will be through a national teleregistration toll-free number. The Individual Assistance Officer will coordinate with FEMA and State and volunteer agencies to establish Disaster Recovery Centers (DRCs) as needed.
- d. The Small Business Administration (SBA) Loan Program provides low-interest loans to individuals and businesses for the refinancing, repair, rehabilitation, or replacement of damaged property. For most disasters, this is the largest federal disaster assistance program (see Appendix 6).
- e. The Other Needs Assistance Program is addressed in Appendix 7.
- f. Disasters that do not warrant a request for Individual Assistance as part of a Presidential Major Disaster Declaration may meet the criteria for selected parts of other programs such as SBA Disaster Loans. (This would be referred to as an “SBA Declaration.”)
- g. Staffing will normally include an Individual Assistance (IA) Officer, an IA Secretary, Disaster Recovery Center Coordinators, an Other Needs Assistance Officer and support staff, a federal Disaster Housing Coordinator, an SBA Liaison Officer, a federal Insurance Specialist, and other support staff as needed.

5. Public Assistance (Appendix 8)

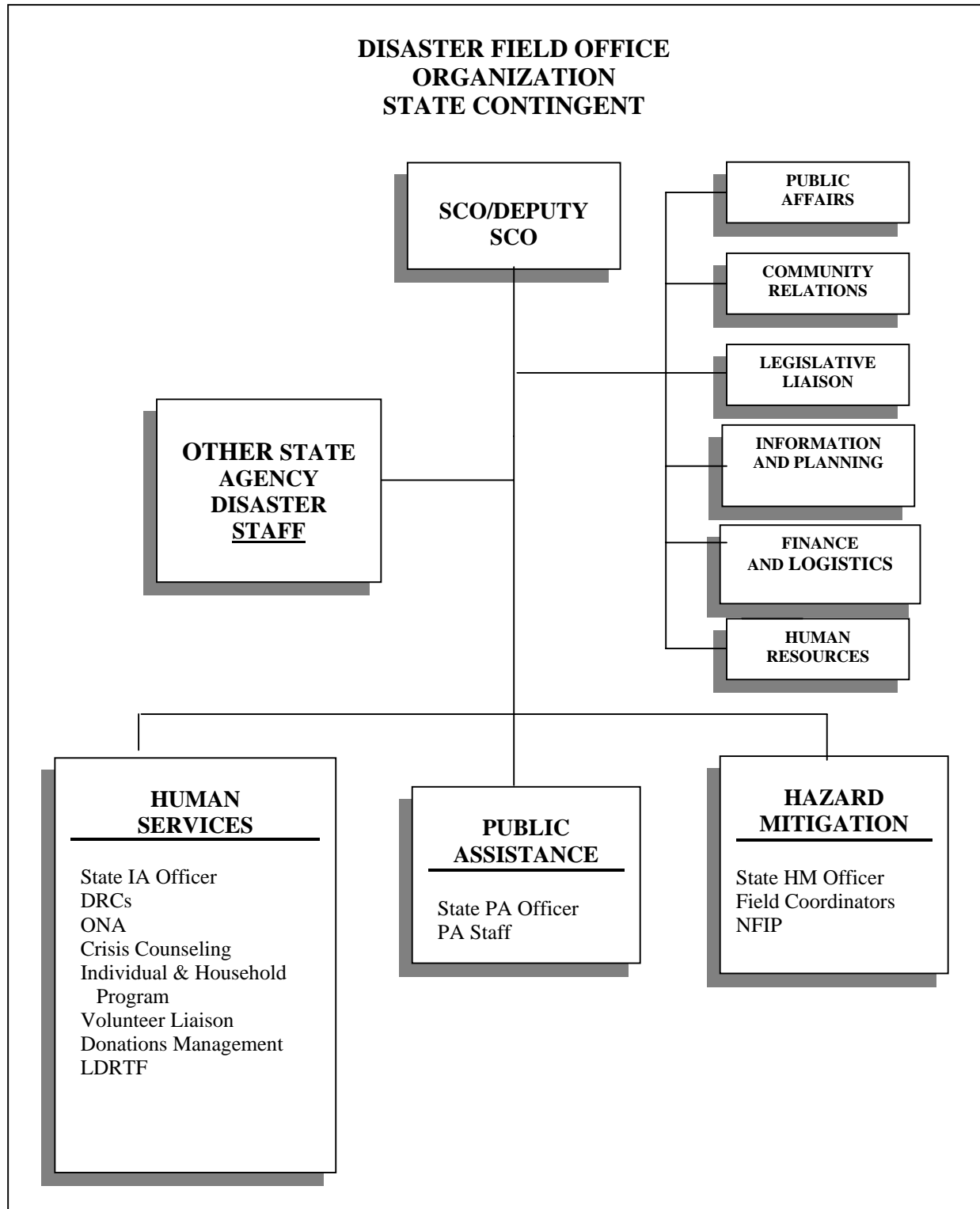
- a. This office is responsible for “Infrastructure Support” activities as addressed in the Federal Response Plan.
- b. The President’s major disaster declaration initiates the Public Assistance process. An Applicants Briefing will be provided to potential applicants. The date, time, and place will be publicized through the news media and telephone calls to city/county officials and Emergency Management Coordinators. (See 44 CFR-206, Subparts G and H.)

- c. The state serves as the grantee and the applicants are subgrantees under the federal disaster assistance program. A contractual agreement is executed between VDEM and each applicant. All reimbursements come through VDEM. Documentation, record keeping, and final closeouts are overseen by VDEM (see Appendix 8).
 - d. Staffing will normally include a state Public Assistance Officer, a cadre of Public Assistance Officers so that one can be assigned to each “large project” and to each city/county working “small projects,” a cadre of documentation reviewers, and other specialists as needed (see Appendix 8, Tab A).
- 6. Mitigation (Appendix 9)
 - a. It is the responsibility of the State to identify and select hazard mitigation projects for recommendation to FEMA for funding. Proposed measures should clearly reduce the potential risk for future damage and be cost effective. The hazard mitigation grant program can be used to fund projects to protect either public or private property. Examples: improvement of municipal stormwater facilities, floodproofing critical facilities, incorporation of mitigation practices into building codes, relocation of buildings out of the floodplain, and property acquisition to limit development in high hazard areas.
 - b. Staffing will normally include a State Hazard Mitigation Officer, field coordinators, and other staff specialists as needed.
- J. The Stafford Act also provides for some federal assistance even if the request for a Major Disaster Declaration from the President is denied. Agencies such as the U.S. Department of Agriculture and the Small Business Administration maintain programs to provide such assistance.
- K. Selected special staff may be required to attend meetings and support processes at the DFO. During the environmental and historical review process, experts from the Departments of Environmental Quality, Health, Marine Resources Commission, Agriculture and Consumer Services, Forestry, Historic Resources, Game and Inland Fisheries, Conservation and Recreation, and Transportation may be needed to lend their expertise on a variety of issues such as permits required, endangered species, and historic sites in the impacted areas.
- L. With or without a Presidential Declaration, the Governor may authorize other assistance to local governments as needed. The Commonwealth Emergency Relief for Localities program is administered by VDEM (see Appendix 11). The Department of Housing and Community Development (DHCD) administers the State Disaster Recovery Task Force (see Appendix 13), Small Cities Community Development Block Grant, and Community Services Block Grant programs. All disaster assistance programs should include built-in procedures that prevent a duplication of benefits.
- M. After several months as recovery operations wind down, the FCO will initiate a recommendation on when to close the DFO. Normally, the FCO will consult with the SCO before making his recommendation. Actions to close the DFO will include scheduling a disaster critique activity to capture ideas on how to improve future operations. Closure operations should be planned well in advance of the actual closure date so that a phased withdrawal can take place and programs transferred to FEMA and state offices.

AUTHORITIES AND REFERENCES

- A. FEMA Manual 8600.3, Disaster Operations Manual, Volume II, Disaster Field Office Operations, January 1991.
- B. Mid-Atlantic States Regional Response Plan, September 15, 1994.
- C. Public Law 93-288, as amended by Public Law 100-707, Robert T. Stafford Disaster Relief and Emergency Assistance Act.
- D. The Commonwealth of Virginia Emergency Operations Plan, Basic Plan, as amended.
- E. State Coordinating Officer Toolkit, FEMA, December 1996.

Appendix 2, Tab A



Appendix 3:
PUBLIC AFFAIRS

Contact: Bob Spieldenner, VDEM, (804) 897-6500, ext. 6512

PURPOSE

The purpose of this appendix is to explain how the VDEM Public Affairs Office will, in coordination with federal and local officials, disseminate recovery information to the affected public following a major disaster. The public should be encouraged to take advantage of available federal disaster assistance programs.

ORGANIZATION

During emergency operations, the VDEM Public Affairs Office will establish a 24-hours-a-day operation at the State EOC in Richmond. Once a Disaster Field Office (DFO) is set up near the disaster area, a federal/state Joint Information Center (JIC) will be established to gather, coordinate, prepare, and disseminate information to the public and the news media about federal disaster assistance.

CONCEPT OF OPERATIONS

- A. The federal/state JIC is responsible for public information news releases about statewide emergency operations following a declared disaster. Public information is subject to rapid change before, during, and after a disaster situation; therefore, the JIC must keep informed to ensure that accurate and current information is being disseminated.
- B. Designated state agencies, as tasked in the Virginia Emergency Operations Plan (VEOP), will furnish professionally qualified personnel to supplement the VDEM staff for public information functions and tasks. The VDEM Public Affairs Office trains other state public information specialists to serve on the disaster response team. Public Affairs Office personnel assigned to the disaster area will need to become familiar with federal disaster assistance programs.
- C. The VDEM Public Affairs Office will:
 - 1. Maintain a list of all news media throughout the state and be prepared to release pertinent disaster response and recovery information to the affected public.
 - 2. Receive, compile, and prepare information about the disaster and recovery activities for release to the news media via regular channels or, if instantaneous notification is needed, via the Emergency Alert System (EAS).
 - 3. Ensure that a public information officer is available on scene prior to a Presidential Disaster Declaration to minimize confusion and misinformation from the moment the news media becomes involved.
 - 4. Coordinate the release of disaster-related information with other state and federal agencies, local governments, and other public relief organizations.

5. Keep the Governor's Press Secretary and the Office of the Secretary of Public Safety directly informed concerning disaster relief operations.
 6. Maintain a briefing room for the news media at State EOC during emergency operations. Later, during the recovery period, maintain a briefing room for the news media at or near the DFO.
 7. Establish and maintain a telephone answering service at or near the DFO to handle citizen inquiries.
- D. VDEM Regional Coordinators will receive, evaluate, and transmit information of news media interest from regional sources to the VDEM Public Affairs Office.
- E. Local governments will:
1. Disseminate information about disaster assistance to the public in coordination with the DFO Federal/State JIC.
 2. Establish and implement procedures for the flow of information to the public in a disaster situation, including the EAS.
 3. Maintain points of contact with the news media serving their area.
 4. Publicize the telephone number of the Public Inquiry Center (PIC) where official disaster information can be provided to the public. Coordinate the provision of this service with the VDEM Public Affairs Office.
 5. Following a Presidential Disaster, provide public information assistance, as needed, at DFOs and Disaster Recovery Centers (DRCs) in their area.
- F. The opening of DRCs will be scheduled as soon after the declaration as possible. A Community Relations or "outreach" program should be implemented prior to the opening of the DRCs (see Appendix 4). The Federal/State JIC at or near the DFO will develop flyers to be distributed in the disaster area that announce DRC locations, dates, and hours of operation. Newspapers and broadcast media will also be used as needed to assure coverage of the disaster area. News releases should be repeated frequently by public service announcements. Spot announcements should be purchased if necessary.

AUTHORITIES AND REFERENCES

- A. Commonwealth of Virginia Emergency Services and Disaster Laws of 2000, as amended. Paragraphs 44-146.18, (c), (5) and (7).
- B. Disaster Operations Manual, 8600.3, Volume II - Disaster Field Office Operations (Chapter 3), Federal Emergency Management Agency, January 1991.
- C. State Coordinating Officer Toolkit, FEMA, December 1996.

Appendix 4:

COMMUNITY RELATIONS

Contact: Danny W. Hall, VDEM, (540) 389-5031

PURPOSE

The mission of the Community Relations (CR) program is to distribute public information materials to disaster victims advising them where, when, and how to apply for individual assistance; advise local government officials about public, individual, and mitigation assistance programs; coordinate the provision of applicants briefings, identification of Disaster Recovery Centers (DRCs), and other needed services; and monitor, evaluate, and report on the in-the-field delivery of these programs to the Disaster Field Office (DFO) staff as appropriate.

ORGANIZATION

The Federal Coordinating Officer (FCO) and the State Coordinating Officer (SCO) will each designate a Community Relations coordinator. An office will be established in or near the DFO. Community Relations teams consisting of one federal and one state representative will visit local officials in each locality listed in the Presidential declaration. A support staff for the Community Relations office may also be needed. Close coordination with the Public Information Office and Legislative Liaison will be essential. Local Disaster Recovery Centers (DRCs) may be established in affected areas to provide information to disaster victims applying for disaster assistance.

MISSION

The mission of CR is to create an atmosphere wherein State, Federal, and local officials and community leaders are encouraged to form a partnership to deliver disaster assistance to victims.

CONCEPT OF OPERATIONS

- A. The Community Relations or “outreach” effort will be directed to two groups--local government officials and the public. Local officials must be provided an overview of disaster assistance programs. The public in the affected area must be informed about aid programs designed to assist individuals and, if they have damages, where and when to apply for assistance.
- B. The Community Relations office will develop and distribute information notifying potential applicants of the availability of federal/state disaster relief programs. Such information includes pertinent program descriptions, application procedures, publication of application deadlines, dates and locations of briefings for applicants of public assistance. This would apply to individuals, governmental agencies (local and state), and private, nonprofit organizations.
- C. Following a declared disaster, state and federal support to declared localities and affected citizens can be complex and confusing. Laws, regulations, procedures, and forms will need to be explained to disaster victims. Community Relations staff play a major role in this process.
- D. Local officials and other potential applicants of Public Assistance and Hazard Mitigation Grants will require additional service through applicants briefings. Once these applicants are declared eligible for public assistance, contact and additional information is provided by the Public Assistance Office.

- E. If needed, the FCO and the SCO will establish Disaster Recovery Centers (DRCs) to provide information to disaster victims applying for disaster assistance. Each DRC will be jointly managed by federal, state, and local personnel. VDEM will coordinate the presence of other assisting state agencies at DRCs as needed.
- F. The size of the Community Relations office will vary from disaster to disaster. The influencing factors will be type and scope of disaster, the number of affected (declared) jurisdictions, and the population affected. Further consideration will be given to the probable number of individuals and public assistance applicants.
- G. Program activities are implemented in accordance with federal guidance, state law, and administrative procedures. All program activities are to be coordinated with the Federal and State Coordinating Officers. The state Community Relations office should be co-located with, or in close proximity to, the Federal Community Relations functions in the Disaster Field Office.
- H. The Community Relations program will be implemented throughout the designated disaster area. Team members should be prepared for these visits when the DFO opens. Each team should have communications and computer map capabilities. The state will provide training and technical assistance to the State Community Relations staff.
- I. The program will be closely coordinated with individual and public assistance managers and public information managers to assure the development and dissemination of current and accurate information.
- J. After the event, but before a major disaster declaration, the State Community Relations coordinator will:
 - 1. Confer with the State EOC staff and the VDEM Local Support Services Coordinator to obtain local situation reports and initial damage assessment reports from designated localities.
 - 2. Identify the numbers and location of affected jurisdiction(s) and, if needed, several potential locations for the Disaster Field Office.
 - 3. Coordinate with the Public Information Office to determine the best use of print and voice/television media for news releases to reach disaster victims, as well as to take advantage of public gatherings for dissemination of information.
 - 4. Identify the Community Relations staff and place CR Field Officers on standby as needed.
 - 5. Confer with the Public Assistance Officer to determine the extent of public damages.
 - 6. Make arrangements with FEMA to have flyers printed. The time for their distribution will be dependent upon when DRCs are to be opened and when applicants briefings are to be scheduled.
- K. After the disaster declaration and after the DFO has been established, the state Community Relations coordinator will:

1. Set up and staff a Community Relations office in or near the DFO.
 2. Coordinate with the state/federal Public Affairs (PAO) office to disseminate news releases for print and broadcast media serving the disaster area(s).
 3. Provide for other methods of reaching the public as needed, posting flyers in public places, door-to-door delivery of flyers, town meetings, and contacting business, civic and religious organizations.
 4. Meet with the chief administrative official and the local Emergency Management Coordinator in each declared locality. Make them aware of disaster assistance programs, primarily public assistance, individual assistance, and hazard mitigation. Help organize town meetings as needed.
 5. Submit a daily status report of Community Relations activities to the SCO.
- L. Community Relations teams should be assigned to work no more than two to three localities each. Initial visits to all declared localities should be accomplished within 5 work days of the opening of the DFO. After their initial meetings, team members should be available for follow-up inquiries. Cellular telephones when on the road and a desk with a telephone when in the office should be provided.
- M. Community Relations teams must be well prepared for their visits with local officials. They should be familiar with Individual Assistance, Public Assistance, and Hazard Mitigation programs. Based on damage assessment reports and teleregistration data, they should be familiar with the scope of the disaster in their assigned localities. They should be prepared to make decisions, in coordination with local officials, concerning buildings to be used as Disaster Recovery Centers (DRCs), the time and place for Public Assistance Applicants Briefings, and how information about these events will be provided to the public. These basics should be accomplished during the initial meeting or shortly thereafter.
- N. The Community Relations program for the public-at-large generally ends with the closing of the Disaster Recovery Centers. The Community Relations program for the state, local government officials, and private nonprofit organizations ends with the completion of the public assistance applicants briefings.
- O. A critique of the Community Relations program will be provided by the participating staff following DFO operations.

AUTHORITIES AND REFERENCES

- A. Public Law 93-288, Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended.
- B. Title 44, Chapter 3.2, Code of Virginia, Emergency Services and Disaster Law.
- C. Virginia Emergency Operations Plan, June 1990, as amended
- D. State Coordinating Officer Toolkit, FEMA, December 1996.

Appendix 5:
INDIVIDUAL ASSISTANCE
Contact: Larry Braja, VDEM, (804) 897-6500, ext. 6533

PURPOSE

- A. To describe the various aid and assistance programs available to individuals and businesses after there has been a federal disaster declaration.
- B. To set forth the procedures to be followed when providing individual assistance.

ORGANIZATION

- A. The State Human Services Officer (HSO) or a designated State Individual Assistance (IA) Officer will coordinate appropriate human services task assignments of state personnel from all state agencies, including the Department of Social Services, Department of Motor Vehicles, Virginia Employment Commission, Workers' Compensation Commission (Criminal Injuries Compensation Fund), Department of Criminal Justice Services, Department of Housing and Community Development, Department of Mental Health, Mental Retardation and Substance Abuse Services, the Department of Agriculture and Consumer Services, Virginia Polytechnic Institute and State University, and the State Corporation Commission. State agencies that are not assigned a specific task in this plan are required, when the need arises, to provide support for recovery operations within their respective capabilities.
- B. The Human Service Officer or assistant(s) will:
 - 1. Act as a liaison between the federal representatives and the local emergency coordinators, mediating any conflict or problem areas.
 - 2. Establish and maintain liaison with the FEMA Voluntary Agency Liaison (VAL), national, state and local Voluntary Organizations Active in Disasters (VOAD), state and local Disaster Recovery Task Forces (DRTF), and other voluntary organizations responding to the event in order to facilitate coordination of services and conflict mediation/resolution.
 - 3. Assist with the disaster declaration process by preparing the IA part of the Initial Damage Assessment (IDA) Summary Report and ensuring the validity of submitted numbers through one or more of the following: (1) Discussion with local emergency managers, (2) Deployment of VDEM personnel, such as Local Support Services Coordinators, to the localities while IDA's are being performed; (3) Deployment of VDEM teams, in coordination with local emergency managers, to spot-check areas already reported in an IDA.
 - 4. Assist in the disaster declaration process by managing the IA part of the joint State-FEMA Preliminary Damage Assessment (PDA) process. VDEM reservists, State Fire Marshall personnel, VDEM Local Support Services Coordinators, and any other personnel deployed to assist in a PDA will be trained by the IA Officer to assist in these duties.
 - 5. Coordinate with the local jurisdictions and FEMA in establishing the locations of Disaster Recovery Centers (DRCs), including staff duty assignments and hours of operations.

6. Prepare the IA or Human Services section of the State Disaster Field Office Situation Report, as well as coordinate the gathering and dissemination of additional IA data that may be needed by state agencies or other interested organizations.
7. Liaison with the FEMA Human Services Officer on all matters pertaining to the IA function.
8. Respond to the written and telephonic inquiries from disaster victims and other interested parties regarding IA.
9. Liaison with and coordinate with the Other Needs Assistance Program Manager concerning the ONA program.
10. Develop and make recommendations to the State Coordinator, VDEM, regarding appeals made under the Other Needs Assistance Program.

CONCEPT OF OPERATIONS

- A. The basic mission of the Individual Assistance program is to serve individuals, families, and businesses affected by the disaster.
- B. After IDA reports for IA indicate damage beyond local and state capabilities, a request is made to FEMA to perform a joint State-FEMA PDA as part of the process to justify a Presidential Disaster Declaration. A trained state IA specialist is assigned to each joint PDA-IA team. The IA Officer informs local emergency management coordinators how to help with the IA part of the federal/state PDA process. If not accomplished prior to the event, this instruction may require communication or an on-site visit prior to the arrival of the joint PDA-IA team.
- C. Using localities' IDA reports and other locality specific information, the joint PDA determines the extent to which private homes and private businesses have been impacted by the disaster and helps justify to FEMA and the President a request for a federal IA disaster declaration.
- D. Teleregistration
 1. The only means for disaster victims to register to receive federal disaster assistance is by calling the designated FEMA toll-free "teleregistration" number. If they have questions or need assistance with teleregistration, they can call the toll-free "help line" number, which is the same as the teleregistration number, or visit a nearby Disaster Recovery Center.
 2. Following registration, an application guidance package will be mailed promptly to each applicant. It will contain specific instructions and the forms needed to proceed with the application.
 3. With teleregistration, information for each applicant is entered directly into the FEMA database, known as the National Emergency Management Information System (NEMIS). Authorized disaster program workers can access and maintain the current and official "case file" for each applicant. Checks for individual disaster victims typically begin to be mailed out within days of the opening of the Disaster Field Office (DFO).

E. Individual Assistance may be available to individuals and households after a Presidential Declaration of an emergency or major disaster. Assistance can be grants that do not have to be paid back; temporary housing, such as travel trailers; low-interest loans; services, such as crisis counseling; and eligibility for programs, normally not available unless there is a disaster declaration. Listed below are the major available programs.

1. Individuals and Households Program (IHP) Effective October 15, 2002, changes to the Stafford Act created the Individuals and Household Program (IHP). The changes consolidated FEMA's Disaster Housing program and the Individual and Family Grant programs. The amendment further established an 18-month time limit and a financial assistance cap of \$25,000 per disaster for each recipient, which is adjusted annually according to the Consumer Price Index. IHP is a grant program with no requirement to payback any monies received, unless monies were received or used inappropriately. By law, FEMA cannot duplicate assistance for losses covered by insurance or other sources.

The IHP program has two components: Housing and Other Needs Assistance. Housing assistance is funded 100% by the federal government and FEMA makes all determinations about eligibility and disaster assistance amounts. Other Needs Assistance is funded from 75% federal funds and 25% state funds. In Virginia Other Needs Assistance is a "joint-option", with the state making eligibility decisions and deciding appeals.

a Housing Assistance (FEMA determines eligibility).

Below are listed the main categories of categories of assistance along with brief descriptions.

- (1) Repair. Up to \$5,000 is available for emergency repair to make a primary residence safe, sanitary, and habitable. It is not meant to restore a dwelling to its pre-disaster condition, provide up-grades, or make-up for deferred maintenance. FEMA contract inspectors determine the level of damage to housing units, but do not make eligibility decisions. If a homeowner has homeowner's insurance or flood insurance, they must use those funds first. If those funds make a dwelling safe, sanitary, and habitable, no additional housing assistance under IHP will be made. Receiving housing assistance does not preclude an applicant from applying for a SBA Loan.
- (2) Replacement. In very few select cases, individuals who have received the maximum \$5,000 may receive another \$5,000 because their dwelling is so damaged it is beyond repair.
- (3) Temporary Housing. If a homeowner or renter cannot live in their primary dwelling while it is being repaired, they may receive financial assistance according to the fair market rent for their area. In some cases the need for temporary housing is met by the provision of direct assistance in the form of a travel trailer or mobile home. All recipients of temporary housing must have an approved housing plan for returning to permanent housing.

- (4) Lodging Expenses. In some special circumstance—e.g. official evacuation, or short-term inaccessibility to a dwelling because of flood waters—there may be full reimbursement, not to exceed 30 days, of bills from hotels and motels.
- (5) Permanent Housing Construction. This option is not available in Virginia.

b. Other Needs Assistance (State determines eligibility)

Each year the state executes an agreement--the State Administrative Plan--with FEMA that governs the operation of the Other Needs Assistance Program (ONA). The Commonwealth's Department of Social Services is delegated the responsibility for operation of the program. Below are listed the main categories of assistance along with brief descriptions. See Appendix 7 for fuller descriptions and procedures.

- (1) Personal Property. Monetary assistance can be paid for damaged or destroyed property losses that have been verified. Items cannot have been covered by insurance and registrants passing the SBA income test must first apply and be denied an SBA loan, or the SBA loan must be insufficient to cover eligible losses. There is not any limit on the dollar amount of award, except the general prohibition that all forms of assistance under IHP cannot exceed \$25,000.
 - (2) Medical and Dental. The injury or illness must be documented to be disaster related. Coverage is only for those situations where health insurance is not in force or will not cover the expense.
 - (3) Funeral. The death must be documented as disaster related by the Medical Examiner. Burial needs must not have been met by insurance or other means. There is a cap on the financial assistance that can be paid. However, life and accidental death insurance need not be reported because these awards are not duplicative of ONA awards.
 - (4) Transportation. Possible assistance can be for the repair or replacement of damaged vehicles or funds for public transportation. There is a cap on the financial assistance available. Disaster assistance is not made if insurance covers the loss or if the person is eligible for an SBA loan that would cover the loss.
 - (5) Moving and Storage. Expenses incurred must be disaster related. Disaster assistance is not made if insurance covers the loss or if the person is eligible for an SBA loan that would cover the loss.
 - (6) Miscellaneous. The state has the option to include items in this category, which would aid disaster recovery, but are not listed elsewhere. It is a very limited category. Eligibility is limited to an incident period, which is established by FEMA for every disaster.
2. Small Business Administration (SBA) loans. The SBA provides low-interest disaster loans to qualified businesses and individuals who have uninsured losses. (See Appendix 6.)

3. Disaster Unemployment Assistance (DUA). DUA benefits and reemployment assistance services are available through the Virginia Employment Commission (VEC) for eligible individuals left jobless after a major disaster, and who do not qualify for regular unemployment benefits. Claimants apply to their local VEC office.
4. Crisis Counseling. Federal grants are available to the States for financing short-term crisis counseling services, community outreach, consultation/education services, and emergency mental health/substance abuse counseling for disaster victims. (See Appendix 12)
5. Legal Services. Members of the Young Lawyers Conference, Virginia Bar Association, provide free legal services to low-income and other qualifying victims as defined in 42 U.S.C. § 5182. Legal services include legal advice, counseling, and representation in non-fee-generating cases.
6. Tax assistance. Under the Internal Revenue Service's Disaster Assistance Program, individuals who have incurred damage to or loss of property as the result of a federally declared disaster are provided free tax advisory and counseling services. Taxpayers are given information about casualty loss deductions and assisted in determining whether a claim for refund of taxes already paid can be filed. Information to help reconstruct destroyed financial records and free copies of previously filed tax returns is also available.
7. Food stamps. The U.S. Department of Agriculture is the lead federal agency; the State Department of Social Services administers the program. Local Department of Social Services need to make application to the State Department of Social Services to get approval to implement the program.
8. Insurance services. The Bureau of Insurance, State Corporation Commission, has a toll-free number for consumers to ask questions concerning all insurance matters, except those pertaining to the National Flood Insurance Program. Bureau of Insurance staff are usually represented at DRCs.
9. Veterans services.
10. Consumer protection services. The Commonwealth's Attorney General's Office and the Commonwealth's Department of Agriculture and Consumer affairs maintain telephone numbers where consumers can make complaints concerning fraud and abuse practices by businesses or individuals.
11. Social Security.
12. Agricultural aid to qualified farmers and agricultural enterprises. The U. S. Department of Agriculture is the lead agency for assistance that may be available for farmers.
13. Criminal Injuries Compensation Fund. This fund becomes available when a man-made disaster is the result of criminal activity. The fund may pay certain non-reimbursed expenses of a victim of crime or their parent, grandparent, spouse, sibling, child or financial support of a legal dependent of a homicide victim, who suffered personal physical/emotional injury or death as a result of a crime, attempting to stop a crime or apprehending a criminal. Application is through the Workers' Compensation Commission.

G. Donations and Recovery Task Forces

Closely related and integrated into the Human Services processes are donations for disaster victims (refer to Appendix 14) and the use of the Recovery Task Forces (refer to Appendix 13) to provide additional recovery assistance following a disaster event.

AUTHORITIES AND REFERENCES

- A. Commonwealth of Virginia Emergency Services and Disaster Law of 2000, as amended.
- B. Public Law 93-288, as amended, the Robert T. Stafford Disaster Relief and Emergency Assistance Act.
- C. Part 206, Title 44, FEMA, Code of Federal Regulations.
- D. State Coordinating Officer Toolkit, FEMA, December 1996.

Appendix 5, Tab A
DISASTER RECOVERY CENTERS (DRCs)

PURPOSE

DRC's are facilities set up in the disaster area where one-on-one assistance can be provided to disaster victims. They may need help registering with FEMA, understanding the application process and the benefits available, or knowing the status of their application.

ORGANIZATION

- A Disaster Recovery Centers are facilities set up in the disaster area(s) by the Federal Coordinating Officer (FCO) and the State Coordinating Officer (SCO). They are generally located in public buildings and provide an opportunity for face-to-face interaction between disaster victims and persons from federal, state, and local government with resources to provide direct assistance or appropriate referrals.

DRCs may be opened preceding a Presidential disaster declaration if a need exists. The size of the disaster, the number of persons affected by the disaster, and the distance applicants would have to travel to a DRC will determine the number of DRCs needed. As a general rule, applicants should not have to travel more than one hour to get to a DRC. However, in densely populated areas or other special circumstances, DRCs may be closer together. In rural areas, mobile DRCs may be employed which move from site to site, or DRC teams may move from one fixed site to another.

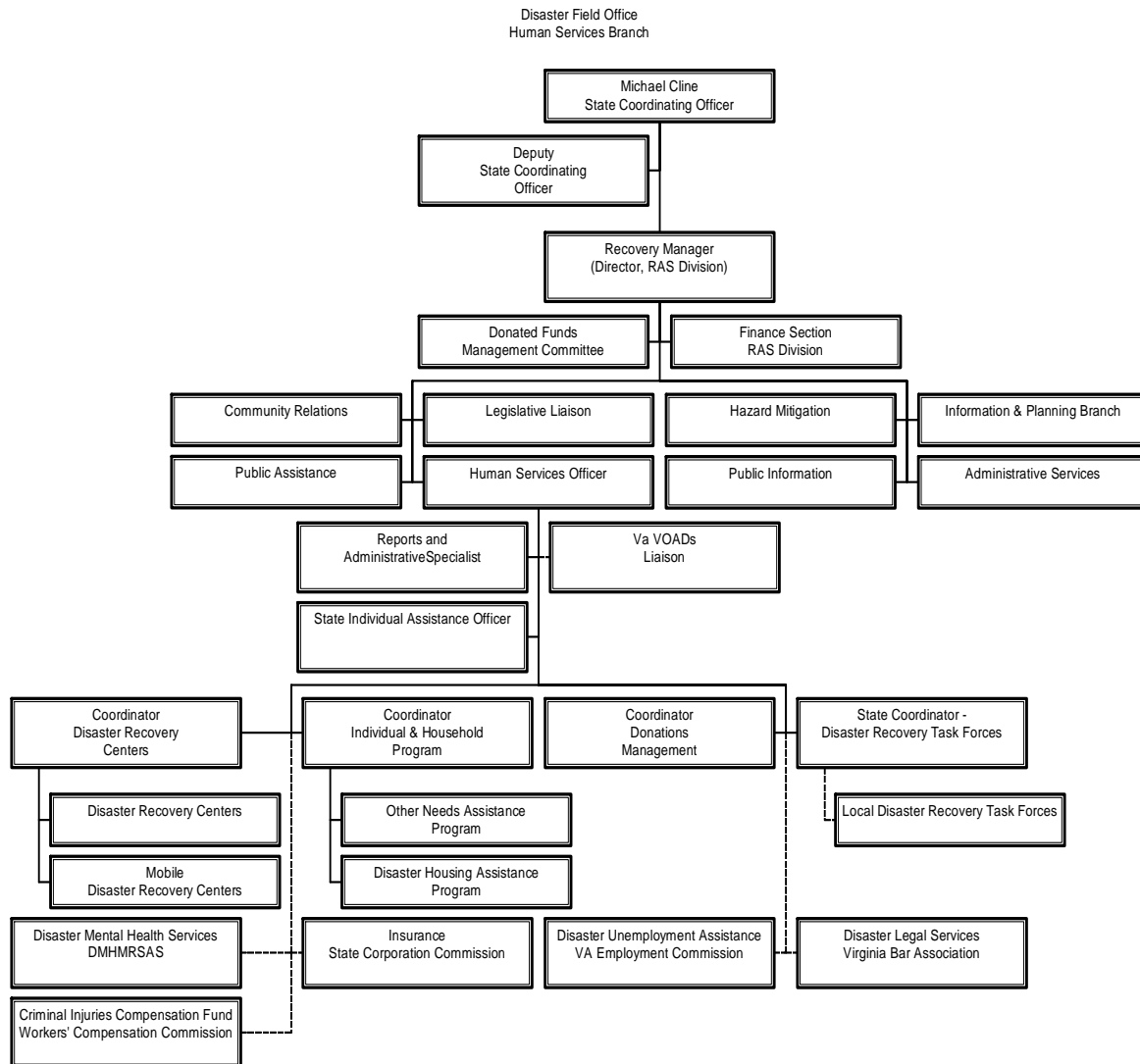
- B. DRCs have a FEMA manager and a state manager.

CONCEPT OF OPERATIONS

- A. The state encourages localities to pre-identify sites that may be suitable for housing a DRC. Facilities must meet FEMA standards for such categories as security and handicap accessibility.
- B. FEMA, state, and local government provide staff to a DRC; Typical program areas represented in a DRC are:
 - 1. Housing Assistance, which includes repair, temporary housing, and replacement (FEMA interviewer)
 - 2. Other Needs Assistance, including personal property, medical, transportation, moving and storage, and miscellaneous (FEMA interviewer)
 - 3. Hazard Mitigation (FEMA representative)
 - 4. Business loan programs (Small Business Administration representative)
 - 5. Insurance (State Bureau of Insurance)
 - 6. Crisis Counseling (Local government)
 - 7. Others areas depending on need, such as taxation and American Red Cross
- C. DRCs are typically set up with a reception area to greet and direct clients to appropriate resources. Applicants are then referred to one or more of the above program areas.

- D. An exit interview is conducted with the client prior to his or her departure from the DRC. The interviewer checks to ensure that the client has visited all programs to which she or he has been referred. The exit interviewer answers any final questions that the client may raise and completes the application summary.
- E. The state manager provides a report on a daily basis to the DRC coordinator at the DFO.

Appendix 5, Tab B INDIVIDUAL ASSISTANCE



Appendix 6:
SBA DISASTER LOAN PROGRAM
Contact: Jim Ryan, SBA (716) 282-4612

PURPOSE

The mission of the Small Business Administration, Office of Disaster Assistance is to help people recover from disasters and rebuild their lives by providing affordable, timely, and accessible financial assistance to homeowner's renters and businesses.

CONCEPT OF OPERATIONS

- A. The SBA Disaster Loan Program is the primary federal disaster assistance program for non-farm, private sector disaster losses. Though its Office of Disaster Assistance (ODA), the SBA is responsible for providing affordable, timely and accessible financial assistance to homeowner, renters and businesses following a disaster. Financial assistance is available in the form of low-interest, long-term loans. Disaster Assistance has been part of the SBA since its inception in 1953 and has provided more than 1.5 million disaster loans for nearly \$31 billion to disaster victims.
- B. By providing disaster assistance in the form of loans, which are repaid to the Treasury, the SBA Disaster Loan Program helps reduce federal disaster costs compared to other forms of assistance, such as grants. When disaster victims need to borrow to repair uninsured damages the low-interest rates and long terms available from the SBA make recovery affordable.
- C. Disaster declarations are official notices recognizing that specific geographic areas have been affected. These disasters, either man-made or acts of nature, are sudden events that cause severe physical damage and do not include slower physical occurrences. Sudden physical events that cause substantial economic injury may be disasters even if they do not cause physical damage to a victim's property.
- D. The SBA offers three types of loans:
 - 1. Home Disaster Loans – For homeowners and tenants to repair or replace disaster damages to real estate and/or personal property owned by the applicant. Tenants are eligible for personal property losses only.
 - 2. Business Physical Disaster Loans - For businesses (including landlords and non-profit organizations) to repair or replace disaster damages to property owned by the business. These losses could be to real estate, machinery and equipment, leasehold improvements, inventory and supplies. Businesses of any size are eligible to apply.
 - 3. Economic Injury Disaster Loans (EIDL) - Working capital loans for small businesses and small agricultural cooperatives to assist them through the disaster recovery period. These loans are available to applicants with "No Credit Available Elsewhere"—if the business and its owners cannot provide for their recovery from non-government sources.
- E. All declaration requests must come from the Governor or authorized representative. The Governor can ask for a Presidential disaster declaration or a Small Business Administration (SBA)

Administrative declaration, depending upon the severity of the disaster. A Presidential declaration makes many Federal and State programs available, including SBA loans. An SBA declaration makes only SBA loans available. The Governor contacts the Federal Emergency Management Agency (FEMA) if the State believes damages justify a Presidential declaration. FEMA conducts a Preliminary Damage Assessment (PDA) of the area. SBA joins FEMA, State and local representatives in the PDA when the damages include homes and businesses.

- F. If the damages are less extensive the Governor can ask for an SBA declaration. When the Governor's request for assistance is received, a survey of the damaged area(s) is conducted with State and local officials, and the results are submitted to the Administrator for a decision. When the Administrator of SBA declares an area, both primary and adjacent counties are eligible for the same assistance.
- G. The Governor's request must be in writing, delivered (with supporting documentation) to the SBA Disaster Area Office, within 60 days of the date of the disaster. The request must indicate the specific county or counties or political subdivision in which the disaster occurred. The SBA will not take action on the request while a presidential declaration is pending.
- H. SBA will make a disaster declaration with the following conditions:
 - 1. For a physical disaster declaration:
 - a. At least 25 homes (primary residences), businesses, or a combination of at least 25 homes, businesses, or other eligible institutions, in any county or smaller subdivision each sustain uninsured losses of 40% or more of the estimated fair replacement value or pre-disaster fair market value of the damaged property, whichever is lower, or
 - b. At least 3 businesses, in any county or smaller political subdivision, each sustain uninsured losses of 40 percent or more of the estimated fair replacement value or pre-disaster fair market value of the damaged property, whichever is lower, and, as a direct result of such physical damage 25% or more of the work force in their community would be unemployed for at least 90 days.
 - 2. For an Economic Injury disaster declaration:
 - a. The Governor certifies that at least 5 small business concerns in a disaster area have suffered substantial economic injury as a result of the disaster and are in need of financial assistance not otherwise available on reasonable terms. The SBA Disaster Area Office must receive the request within 120 days of the disaster occurrence.
 - b. The Secretary of Agriculture designates an area as an agricultural disaster area. SBA may make Economic Injury Disaster Loans to small business concerns and small agricultural cooperatives in the designated counties without credit available elsewhere.
 - c. The Secretary of Commerce makes a commercial fishery failure or fishery resource disaster under Section 308(b) of the Interjurisdictional Fisheries Act of 1986.

- I. Only those victims located in a declared disaster are eligible to apply for SBA disaster loans. When the President declares a major disaster, FEMA defines the disaster area. If the President declares the area for Individual Assistance, SBA offers physical and economic injury loans in the declared counties and economic injury (EI) loans only in contiguous counties. If the President declares the area for Public Assistance only, SBA offers physical loans to Private Non-Profit (PNP) facilities, which FEMA determines provides non-critical services of a governmental nature.
- J. In a SBA-only physical declaration, all three types of loans are available in contiguous counties or other political subdivisions. In a SBA-only Economic Injury declaration, Economic Injury Disaster Loans are available in contiguous counties or other political subdivisions.
- K. Prior to a SBA-only disaster declaration, the SBA may need to conduct its own damage survey of the areas included in the governor's declaration request.
- L. In Presidential disaster declarations, SBA sends representatives to Disaster Recovery Centers (DRC) to advise and assist victims with loan applications. In SBA-declared disasters or when DRCs are not operating, SBA may establish workshops in the disaster area. If no SBA workshops are established, interested applicants may contact the SBA Disaster Area Office.
- M. In Presidential disaster declarations, the State Coordinating Officer may request the Federal Coordinating Officer to extend the deadline for SBA disaster loan applications when necessary.
- N. General Eligibility, Terms and Conditions
 - 1. The SBA makes disaster loans to any applicant regardless of age, sex, race, religion, or origin who demonstrates a reasonable ability to repay a loan out of personal or business cash flow. An individual must have satisfactory credit and character.
 - 2. The approved loan amount is based upon the actual cost of requiring and/or replacing disaster damaged real estate and/or personal property, less any insurance settlements, other reimbursements or grants that may duplicate any loan proceeds.
 - 3. The SBA will not lend funds for "upgrading" or non-disaster related repairs. The SBA does not consider structural or other changes borrowers must make to comply with local building construction codes to constitute "upgrading." Borrowers may include cost of code-required upgrades in loan amounts.
 - 4. Generally, the SBA will not require borrowers to pledge collateral to secure a disaster home loan or a physical disaster business loan of \$10,000 or less, or an economic injury disaster loan of \$5,000 or less. For loans larger than these amounts, borrowers will be required to provide available collateral. The SBA will not decline a loan request because of insufficient collateral. However, the SBA can decline a request if a borrower refuses to pledge available collateral.
 - 5. Interest rates are fixed for the entire term of the loan. However, based on formulas set by law, they can change over time for separate disaster declarations. The actual interest rates in effect for each declaration will be publicized locally.

6. There are two interest rates. By law, the interest rate for a borrower depends on whether they have “Credit Available Elsewhere.” The SBA determines a borrower has “Credit Available Elsewhere” if they have sufficient funds or other resources, or the ability to borrow from non-government sources, to provide for their disaster recovery without hardship. Generally, the SBA determines that over 90 percent of applicants do not have “Credit Available Elsewhere” and are eligible for the lowest interest rate.
7. The maximum loan term is 30 years. However for businesses with “Credit Available Elsewhere,” the law limits the loan term to a maximum of three years. The SBA determines the loan maturity and repayment terms based on a borrower’s needs and ability to pay.
8. Borrowers normally repay loans in equal monthly installments of principal and interest. The first payment is usually due within five months from the date of the note. The SBA can modify repayment terms under special circumstances.
9. Borrowers repairing or replacing real estate or personnel property located in a special flood hazard area must purchase and maintain flood insurance for the full insurable value of the property, for the term of the loan.
10. Applicants who have not complied with the terms and conditions of previous loan(s) are not eligible. This includes previous borrowers who failed to maintain required flood insurance.
11. Loans can be increased for mitigation. Mitigation means specific measures taken by a borrower to protect against recurring damage in similar future disasters. The increase a borrower can receive is limited to the lesser of the actual cost of the mitigation measure or 20% of the approved loan amount.
12. Use of the SBA disaster funds for relocating is subject to limitations. Generally, borrowers may relocate where they need to do so for reasons beyond their control. If the borrower is forced by the state or local authorities to relocate, the amount of eligibility is the replacement cost of the property that must be abandoned. The SBA considers the damaged property a total loss and the borrower may be eligible for refinancing.

O. Home Disaster Loans

1. Home Disaster Loans are limited to a maximum of \$200,000 to repair or replace a primary residence and \$40,000 to repair or replace contents (personal property). Generally, disaster loan funds do not cover rare or luxury items.
2. The amount for refinancing cannot exceed the lesser of \$200,000 or the physical damage to the primary residence after reductions for insurance or other recovery. Refinancing of an existing lien(s) on a primary residence may be eligible if the borrower does not have “Credit Available Elsewhere,” and:
 - a. The uncompensated disaster damage is 40% or more of the home’s pre-disaster market value or replacement cost, whichever is less, including land value, or

- b. The uncompensated disaster damage is 50% or more of the home's pre-disaster market value or replacement cost, whichever is less, excluding land value.

P. Business Physical Disaster Loans

1. Business physical disaster loans are limited to a maximum \$1,500,000 to repair and/or replace uncompensated damages to real estate and property. This maximum dollar amount includes refinancing, code compliance, relocation expenses, and all other eligible loan purposes. The \$1,500,000 statutory limit applies to the combination of physical and economic injury disaster loans. It also applies to all loans to a business and its affiliates.
2. The SBA can waive the \$1,500,000 limit if the business is a major source of employment.
3. The amount of refinancing cannot exceed the physical damage to the real estate or machinery and equipment after reductions for insurance or other recovery. Refinancing of an existing lien(s) on real estate and machinery and equipment may be eligible if the borrower does not have "Credit Available Elsewhere," and:
 - a. The uncompensated disaster damage is 40% or more of the aggregate pre-disaster market value or replacement cost (whichever is less) of the damaged real estate and machinery and equipment, including land value, or
 - b. The uncompensated disaster damage is 50% or more of the aggregate pre-disaster market value or replacement cost (whichever is less) of the damaged real estate and machinery and equipment, excluding land value.
4. The SBA must review a financial statement for each partner, officer, director, and stockholder with 20 percent or more ownership or control. The SBA may require such persons to personally guarantee repayment of the loan and, in some instances, secure the loan by pledging collateral.

Q. Economic Injury Disaster Loans (EIDL)

1. If as a direct result of a declared disaster, a business has suffered substantial economic injury, with or without actual physical damage, it may be eligible to apply for an EIDL. The business must have a physical presence in a declared disaster area to be eligible.
2. A substantial economic injury is such that a business concern is unable to meet its obligations as they mature or pay its ordinary and necessary operating expenses. The loss of anticipated profits or a drop in sales is not considered substantial economic injury for this purpose.
3. The SBA must review a financial statement for each partner, officer, director, and stockholder with 20 percent or more ownership or control. The SBA may require such persons to personally guarantee repayment of the loan and, in some instances, secure the loan by pledging collateral.
4. No EIDL assistance will be made to a business that is determined by the SBA to have "Credit Available Elsewhere."

5. Only for-profit, operating, small business concerns as defined by the SBA using the Standard Industrial Classification Codes, are eligible.
6. An EIDL can be made for the verified amount of economic injury and operating needs. However, no loan (including any Business Physical Disaster Loan) may exceed \$1,500,000. In determining eligibility, the SBA will consider:
 - a. The obligations that come due during the period affected by the disaster.
 - b. The operating expenses that could have been met and a reasonable working capital position that could have been maintained had the disaster not occurred.
7. The amount of economic injury or operating need does not automatically represent the dollar amount of loan eligibility, but the SBA will evaluate the information provided and determine the reasonableness of the loan request.

R. Restrictions

1. Borrowers must use SBA disaster loans to restore property as nearly as possible to their pre-disaster condition, and within certain limits, to protect damaged or destroyed real property from possible future similar disasters.
2. Borrowers must return to the SBA any funds received but not used as authorized to restore property to pre-disaster condition. The SBA will reduce the principal balance of the loan by the amount of returned funds.

S. Penalties

1. An applicant who falsifies the application or falsely certifies the use of loan funds may be subject to criminal penalties.
2. A borrower who wrongfully misapplies the proceeds of a loan will be liable to the SBA for one and one-half times the loan proceeds disbursed to you as of the date the SBA learns of the wrongful misapplication

AUTHORITIES AND REFERENCES

- A. Small Business Act, Section 7(b), as amended.
- B. Small Business Administration Rules and Regulations (13 CFR), Part 123.
- C. Small Business Administration Fact Sheet, “Physical Disaster Business Loans”
- D. Small Business Administration, Office of Disaster Assistance, Strategic Plan, FY 2003 – FY 2008.
- E. PL 91-606, Disaster Relief Act of 1970, Section 231, 234, 235, and 237.
- F. Real Estate Settlement Procedures Act of 1974.
- G. Flood Disaster Protection Act of 1973.
- H. Small Business Administration Fact Sheet, “Disaster Loans for Home and Personal Property.”
- I. Small Business Administration Fact Sheet, “Economic Injury Disaster Loans for Small Business.”
- J. Small Business Administration Fact Sheet, “Private Non-Profit Businesses in Public Assistance Declarations”

Appendix 7:
INDIVIDUAL AND HOUSEHOLD PROGRAM (Other Needs Assistance)
Contact: Patricia Snead, DSS, (804) 692-1752

PURPOSE

This plan sets forth the organization, staffing and procedures for administration of the Individuals and Households Program/Other Needs Assistance (IHP/ONA) in the State of Virginia subsequent to a major disaster declaration by the President. This plan is developed to meet the requirements of 44 CFR 206.120.

ORGANIZATION

- A. The Federal Emergency Management Agency (FEMA) and the State of Virginia must establish partnership for the delivery of assistance under Subsections 408 (e) and (f) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. 5174 (e) and (f). FEMA and the Commonwealth of Virginia are executing this SAP to govern the delivery of assistance for implementation following Presidentially declared major disasters for the period of January 1, 2004 through December 31, 2005.
- B. Under this section the delivery of Other Needs Assistance (ONA) by the State is contingent upon approval of the State Administrative Plan (SAP), which describes the procedures the State will use to deliver assistance under Section 408 of the Stafford Act, 42 U.S.C. 5174 paragraphs 44 CFR 206.120(c) and 44 CFR 206.120(d), when the State requests a grant to administer ONA. All implementation procedures will be in compliance with Federal and State laws, regulations, executive orders, and policies. The SAP provides a description of the State's procedures for implementing ONA. The Regional Director and the Governor or his/her designee will execute the SAP annually.

CONCEPT OF OPERATIONS

- A. The Individuals and Households Program/Other Needs Assistance provides financial assistance to eligible individuals and households who, as a direct result of a major disaster or emergency, have uninsured or under-insured necessary expenses and serious needs and are unable to meet such expenses or needs through other means.
- B. A signed SAP, or renewal, will be prepared and submitted to the FEMA Regional Director prior to November 30 for the upcoming calendar year. A SAP shall be in effect for three years and will be resubmitted in full every three years.
- C. Annual updates/revisions will be submitted by November 30 of each year for FEMA's review and approval by December 31. If the SAP is not updated/revised, a letter from the Commonwealth stating the SAP is still current will be submitted by November 30 to document the SAP submission requirement.
 - 1. An amendment is effective upon signature by the FEMA Regional Director and the Governor or his/her designee.
 - 2. During non-disaster periods proposed amendments to the SAP will be submitted as a part of the annual update as described in Section IV. B.

3. During Presidential-declared disasters proposed amendments to the both the SAP and the Option will be submitted within three days after the disaster declaration date. FEMA shall review the request and respond within three days of receipt.

D. Assignment Of Grant Program Responsibilities To State Officials Or Agencies [44 CRF 206.120(D)(1)]

The Governor delegates program implementation responsibility to the Departments of Social Services and Emergency Management.

1. Virginia Department of Emergency Management (VDEM) has responsibility for overall administration of ONA. The following personnel are assigned from VDEM.
 - a. State Coordinating Officer (SCO) is responsible for coordinating State and local disaster assistance efforts with those of the federal government. The State Coordinating Officer's responsibilities include, but are not limited to:
 - b. Coordinating state and local disaster assistance efforts with those of the federal government;
 - c. Serving as The principal point of contact for the Federal Coordinating Officer (FCO) regarding relief activities;
 - d. Ensuring compliance with the FEMA-State agreement to include arranging for the state's share of funding and ensuring that all disbursements subject to federal audit are recorded properly and retained for such audit;
 - e. Coordinating with the FCO, determine locations and schedule of operation for DRCs;
 - f. Appointing the Public information Officer (PIO) to coordinate with the FCO, SCO, IA Officer, and governor's office on press releases; and
 - g. Serving as final ONA appeals authority.
2. Governor's Authorized Representative (GAR) and the SCO are one in the same. The GAR's responsibilities include, but are not limited to:
 - a. Ensuring that federal and state funds are acquired and made available for assistance and authorized administrative expenditures throughout the duration of ONA;
 - b. Ensuring, at the initiation of ONA, that federal shares of advances are accompanied by state shares of advances; and
 - c. Requesting extensions of time limitations to the Regional Director, when necessary.
3. State Human Services Officer (SHSO) responsibilities include, but are not limited to:

- a. Establishing and maintaining relationships with federal, state and local government agencies and other human needs organizations.
 - b. Developing state level policy for human services disaster assistance/relief programs.
 - c. Managing, administering, and coordinating emergency preparedness, response and recovery assistance for individual disaster victims and disaster impacted businesses, as set forth in the applicable federal and state regulations.
 - d. Coordinating with FEMA, SBA, various state agencies and voluntary organizations to implement disaster assistance/relief programs.
 - e. Serving as liaison to the State Recovery Task Force and State/Regional VOADs.
 - f. Coordinating with voluntary organizations to assist with post disaster unmet human needs.
 - g. Coordinating with the SCO/GAR and provide reports as required.
4. Virginia Department Of Social Services (DSS) has overall responsibilities for implementation and coordination of ONA under the direction of the SCO. The Grant Coordinating Officer at DSS will meet with and provide the SCO daily reports and other information as requested. The GCO oversees the day-to-day operation of ONA and responsibilities include, but are not limited to:
- a. Publicizing the availability of ONA to potential applicants by coordinating with the State and Federal Public Information Officer concerning news releases, and Updating local and regional social services offices of a federal declaration impacting their jurisdictions.
 - b. Coordinating with the SCO and SHSO to provide staff for the Federal/State Disaster Recovery Centers (DRCs) to provide information to citizens in the impacted areas;
 - c. Providing training, technical assistance and program guidance to all staff having ONA responsibilities.
 - d. Determining the pricing for items, when not provided by FEMA,.
 - e. Participating in the inspection briefing to ensure that:
 - The inspectors understand the specific nature of the disaster and affected areas;
 - A common understanding of the role of the inspector is developed; and additional inspections of certain areas and/or items may be required due to the uniqueness of the disaster;
 - The requirements of ONA are clearly defined and understood by the inspectors.
 - f. Determining staffing requirements of the program.
 - g. Assuring strict compliance with Public Law 93-288, Section 308, Non-Discrimination in Disaster Assistance.

- h. Submitting required reports to the FEMA Regional Director, FCO, SCO, and SHSO.
 - i. Closely coordinating with the SHSO, and federal and volunteer agencies that provide disaster assistance to prevent duplication of benefits (DOB).
 - j. Notifying the SHSO of suspected fraud or misapplication of funds and initiating collection procedures on behalf of the State.
 - l. Notifying each applicant by letter of the eligibility determination made on his application.
 - m. Coordinating with the DSS and VDEM Financial Operations, and Budget Officers to ensure appropriate monitoring of revenue and expenditures.
 - n. Submitting the Final Statistical Report (FEMA Form 76-29) and the Financial Status Report (Standard form 269 or 269A) to the SCO and Regional Director no later than ninety (90) days after the completion of all grant award activity.
 - o. Conducting a random sample of completed cases.
 - p. Reviewing all requests to determine if the appeals could be handled by administrative review before submission to the Appeal Authority.
- E. VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV) will provide a representative for the DRC or DFO when requested. Representatives will assist transportation applicants in need of replacement DMV documents and assist ONA staff by verifying and resolving applicant DMV documentation issues needed to determine eligibility.
- F. VIRGINIA DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION, AND SUBSTANCE ABUSE SERVICES (DMHMRSAS) will provide a representative for the DRC when requested.
- G. VIRGINIA DEPARTMENT OF TREASURY will provide fiscal support by using electronic data from DSS to write and mail checks to eligible ONA recipients. Their staff activities are not charged to the grant.
- H. VIRGINIA OFFICE OF THE ATTORNEY GENERAL (AG) will provide legal guidance to SHSO and GCO, investigate and prosecute on fraud or misuse of funds.
- I. CONTINUITY OF GOVERNMENT - Lines of succession for personnel assigned IHP/ONA responsibilities are in accordance with the Virginia Emergency Operations Plan and agency procedures.

- J. LOCATION OF STATE IHP/ONA WORK SITE -will be at the DFO until such time as determined by the GCO to return to the state facility located in Richmond, Virginia.

At the Commonwealth processing facility for ONA, FEMA will provide the necessary EDP equipment and channels of communication, including access to the National Processing Service Center (NPSC), and the National Tele-registration Center (NTC). (See FEMA RR Policy No. 9460, Disaster Recovery Operations: Telecommunications Support Lines for States, July 11, 2000).

K. STAFFING SCHEDULE

1. Temporary hiring and overtime policy is to pay overtime to those state employees who normally receive overtime, and straight time to those state employees who normally do not receive overtime pay. Current policy is to handle emergency manning using temporary hires.
2. In emergency situations, approval for employment of temporary hires occurs in one day. Hiring is accomplished through referrals, temp agencies, and/or walk-ins. All hires must be computer literate with demonstrated computer experience. References are checked.
3. New hires receive on the job training and begin processing registrations within 2 days of hire. The ONA Manager or ONA supervisors review every case processed. Within 4 days of hire and under the supervision of the ONA Manager, case processors begin peer reviews as a part of continued training.
4. The number of personnel necessary to perform disaster-related functions is dependent upon the size of the event and will be determined at the onset of each disaster declaration. Generally the personnel needed include one GCO/ONA Manager, one supervisor for every six case processors, two case processors for every 400 applications, one case processor for quality control reviews, one administrative assistant, and a minimum of two helpline operators.
5. The State's Helpline is a toll-free intrastate number available 24-hours per day. Callers may leave a voice-mail message and receive a return call by close of business the following day.
6. GCO/ONA Manager is a full-time state employee with the Virginia Department of Social Services and whose regular salary is paid 100% by a federal grant during non-disaster periods. During disaster declaration this position is dedicated 100% to the disaster, and salary and other personnel costs are charged to the disaster grant. The disaster duties for this position are described in Section V. B., pages 9 and 10. Salary range is \$54,000 - \$60,000 annually.
7. ONA supervisor approves work of case processors, responds to telephone calls, assist with the Helpline, and other duties as assigned. Supervisor pay ranges from \$15 to \$20 per hour depending on geographic location and market conditions. Supervisor is dedicated 100% to the grant and personnel costs are charged to the grant.

8. Case processors review the registration information, determine eligibility, recommend amount of award, key comments into NEMIS, generate letters, respond to telephone calls, assist with helpline, and other duties as assigned. Case processors pay ranges from \$10 to \$15 per hour depending on geographic location and market conditions. Case processors are dedicated 100% to the grant and personnel costs are charged to the grant.
9. Case processor for quality control reviews conducts desk reviews and/or field visits of closed cases, both approved and denied. Reports of errors found may lead to additional awards and/or recoups. The pay ranges from \$10 to \$15 per hour depending on the geographic location and market conditions. The reviewer's personnel cost is charged to the grant.
10. Administrative assistant prepares letters and reports, makes follow-up calls to registrants to secure additional information, sets-up paper files, open and disseminates mail, assists with helpline, and other duties as assigned. The administrative assistant pay ranges from \$10 to \$15 per hour depending on geographic location and market conditions. The administrative assistant personnel cost is charged to the grant.

PROCEDURES FOR INTERACTION WITH APPLICANTS [44 CFR 206.120(d)(3)]

A. PUBLIC NOTIFICATION

1. VDEM Public Information Office (PIO) shall publicize the availability of ONA to potential applicants, in coordination with the FCO and other federal and state agencies. Publicity may include news releases about the program, including deadlines, program descriptions and other information about applying for disaster assistance. VDEM's PIO will coordinate these releases with:
 - a. The FEMA PIO
 - b. FEMA Community Relations
 - c. FEMA Congressional Affairs
 - d. Other State agencies/departments.
2. Means of dissemination shall include newspapers, television and radio broadcasts, handouts and posters. Provisions for bilingual materials and broadcasts in those areas where non-English speaking populations are identified will be addressed on an as needed basis. Such provisions will be coordinated between VDEM, FEMA PIO, and FEMA Community Relations.
3. To ensure coordination of public information with FEMA, the VDEM PIO will review all materials, in concert with the FEMA PIO, prior to release. This review process shall be conducted:
 - a. While the VDEM PIO works directly with FEMA Public Affairs at the DFO site, or
 - b. By faxing all materials between VDEM and FEMA PIOs, if not co-located at the same site.

3. The VDEM PIO will confirm content with the SHSO or GCO prior to any ONA release(s). All public information regarding ONA shall comply with provisions of the Federal Privacy Act of 1974, and the safeguarding of applicant's privacy/confidentiality. The PIO will not identify applicants for ONA in releases or statements to the news media.

B. REGISTRATION

FEMA is responsible for all registration and late registrations in accordance with 44 CRF 206.112 and the Cooperative Agreement Articles. The single registration will be used to collect information for IHP/ ONA, and the Small Business Administration (SBA) Disaster Loan Program. Registrations will be stored in NEMIS and FEMA will provide the State with access to registrations.

C. INSPECTIONS AND OTHER VERIFICATIONS

1. Necessary expenses and serious needs are verified through on-site inspections or use of supporting documentation, such as estimates or receipts, submitted by the applicant or other resource.
2. The State expects FEMA to inspect for occupancy, primary residency, and disaster-related losses and needs for transportation, personal property, essential tools, and miscellaneous expenses.
3. The State will obtain verifications for medical, dental, funeral, moving and storage, transportation, essential tools, miscellaneous expenses, and other claims for assistance. Request for Information Letters will be mailed to the applicant. The letter for additional verification requirements above and beyond what the FEMA inspectors collect will be written, mailed, received, and maintained outside of NEMIS as a part of the applicant case file. Specific verification requirements are listed in the appendices. Applicant responses to these additional verification letters will be received by DSS and faxed by DSS to the MD-NPSC for scanning. All other normal processing correspondence will be sent through the MD-NPSC.

D. ELIGIBILITY DETERMINATIONS

Virginia does not use an administrative panel for initial eligibility determinations. Instead ONA case processors handle the case review process independently.

1. ELIGIBILITY CRITERIA

- a. In administering ONA, the State shall determine the eligibility of an individual or household in the accordance with all applicable federal statutes.
- b. An individual or household representative must make application to all applicable available governmental disaster assistance programs to meet a necessary expense or serious need, and be determined not qualified for such assistance, or demonstrate that the assistance received does not satisfy the total necessary expense or serious need;
- c. The individual must not have previously received or refused assistance from other means for the specific necessary expense or serious need, or portion thereof, for which application is made; and

- d. The individual or household representative must certify to refund to the State that part of the award for which assistance from other means is received, or which is not spent within the scope of IHP.
- e. The individual must be a U. S. citizen, non-citizen national, or qualified alien. The State must be in receipt of the signed Declaration and Release, and a copy of an identity document from the applicant, prior to disbursing any funds for ONA eligible items.
- f. An individual, under 18 years of age, who makes an application in his/her own name must provide a notarized statement certifying that he/she was not living in the home of a parent or responsible caretaker at the time of the incident, or that as a result of the incident the parent or caretaker is no longer responsible due to death, indefinite or permanent confinement to an institution, or moved out of the jurisdiction. Minors who have a parent or responsible caretaker overseeing their needs are not eligible for ONA.
- g. All other specific requirements as found in the appropriate attached Appendices.

2. ELIGIBLE CATEGORIES

Assistance under Section 408 (e) and (f) will be made available to meet necessary expenses or serious needs by providing essential items or services in the following categories:

- Medical and Dental expenses (Tab A).
- Funeral expenses (Tab B).
- Personal property (Tab C).
- Transportation (Tab D).
- Moving and Storage (Tab E).
- Initial expenses must be incurred within 30 days of the date of the disaster.
- Miscellaneous expenses (Tab F).
 - The State will require actual bills and receipts. Awards will not exceed those prices provided in FEMA's pre-determined price list. Items must be purchased within the disaster incident period.
 - Cost of a three year GFIP premium, to meet the flood insurance requirements, as stipulated in this Plan.
 - The State will provide a three-year Group Flood Insurance Policy (GFIP) when an applicant is approved for flood insurable personal property items and is required to carry flood insurance.
- Other (Tab G).

- If the State determines that assistance other than the above items is a necessary expense and serious need, the State will summarize the facts of the case and document its finding of eligibility.

3. INELIGIBLE CATEGORIES

Assistance under Section 408 shall not be made available for any item or service in the following categories:

- Business losses, including farm businesses and self-employment;
- Improvements or additions to real or personal property;
- Landscaping;
- Personal property used exclusively for recreation;
- Financial obligations incurred before the disaster; and
- The cost of an applicant-obtained estimate to support the appeal is not an eligible cost.

E. FLOOD INSURANCE REQUIREMENTS

The State will use NEMIS in determining compliance with NFIRA requirements.

F. APPLICANT NOTIFICATION OF ELIGIBILITY DECISION

1. The GCO will notify applicants by letter of the eligibility decision within five business days. The State will use NEMIS generated letters except for appeals, recoups, and request for information. Award letters will state that the application has been approved, the amount of the award, the purpose of the award and whether flood insurance is required. In all cases except for appeals, recoups, and request for information, the letter will inform the applicant of the right to appeal the ONA decision.
2. Upon receipt of an appeal, an acknowledgement letter will be mailed. An appeal decision will be rendered within 45 days of receipt and the decision letter will be mailed to applicant.

G. DISBURSING GRANTS TO APPLICANTS

1. The ONA Manager is responsible for all case approvals and payments. Depending on the size of the disaster, the ONA Manager or Supervisor reviews all cases worked within three business days. Once approved in NEMIS, a State export file is created. Within five business days, DSS downloads the file from NEMIS into the State system. A telephone call between DSS and the ONA Manager verifies the number of approvals and the total dollar amount of the file. DSS then prepares the file for electronic transmission to the Virginia Department of Treasury for check writing.
2. Treasury will mail checks to eligible applicants the first business day after receipt of the file. Treasury will forward a warrant register to the DSS, Division of Finance for reconciling.
3. *Usually, the State will process, cut, and mail ONA checks to applicants within 2 business days after approved in NEMIS. Specifically, the State export file is downloaded the morning after creation of the file; the verification and transmission occur in the afternoon of the download; and the check is written and mailed on the following day. However, recognizing that outside factors may impact the standard operating procedures the paragraphs above allow for unexpected interruptions.*

H. APPLICANT REQUEST FOR APPEAL

1. An applicant/recipient may appeal an eligible or a denied ONA determination only once per disaster.
2. The appeal from the applicant must be submitted in writing to DSS and postmarked within 60 days from the date of the ONA determination letter.
3. The appeal letter must include new or additional information to support the claim.
4. All appeal letters will be reviewed first by the ONA Manager to determine if the applicant is eligible for assistance based on new data or clarification of data used in the original decision.
5. When determined that the new data or clarification changes the original decision, the case will be reworked. The resulting decision may be a supplemental award or a recoup.
6. When determined that the new data or clarification does not change the original decision, the appeal letter will be forwarded to the State Appeals Authority at VDEM. The appeal authority may sustain or overturn the original ONA decision.
7. A decision will be rendered within 45 days after receipt. The SAP will be the guiding document for all appeal considerations.
8. The State will create its own appeal decision letters, and not use those found in NEMIS. DSS will fax copies of both the applicant's appeal letter and appeal decision letter to the MD-NPSC for scanning.

I. FRAUD

1. The GCO will notify the SHSO of all discoveries of reasonable possibilities of fraud, waste, or abuse allegedly committed. A factual summary of the allegations will be prepared. Summaries in regard to ONA recipients will be shared with the FEMA Office of the Inspector General. Summaries in regard to employees of state agencies will be shared with the Auditor of Public Accounts and the Superintendent of State Police.
2. The State will pursue, with or without collaboration from FEMA, its own investigation of allegations and prepare a findings report. If recovery is required, the State will begin collections as outlined in Section VII.K. of this Plan.

J. PRIVACY AND CONFIDENTIALITY

1. All state agencies and personnel assigned responsibilities under this Plan will ensure compliance with PL 93-288 as amended by P.L. 100-707: 1) Section 308, Non-discrimination in disaster assistance; 2) Section 312, Duplication of benefits; and 3) Section 314, Criminal and Civil Penalties. DDS will also comply with requirements in the *Code of Virginia* § 63.2-102, regarding privacy and confidentiality. In addition, all personnel employed by DSS must sign a statement of acknowledgement in regard to the security of information systems and data files used in job performance.
2. Paper files created by the State will be maintained in locked files with access limited to ONA staff, SHSO, and State Appeals Authority.
3. The State will not release any applicant information unless a signed applicant authorization is on file or verbal consent from the applicant at registration is recorded in the file, except the State may release applicant information to the State agency responsible for conducting an audit or review of ONA, or to any Federal audit agency, including FEMA or the General Accounting Office.

K. RECOVERY OF FUNDS FROM APPLICANTS

1. The State is responsible for recovering awards from recipients when obtained fraudulently, expended for unauthorized items or services, expended for items for which assistance is received from other means, and awards made in error.
 - a. Upon discovery, the GCO will notify the recipient by certified mail and:
 - Advise recipient that he/she has 30 days to comply with the request to return funds, and
 - Advise the recipient of the right to an administrative review of the recovery effort, if requested within 20 days of receipt of the notice.
 - If the recipient does not respond to the notice, the right to an administrative review is waived, and collection efforts continue.

- If the recipient does respond, the SHSO or designee will conduct an administrative review of the case record. The recipient is advised of the administrative review decision.
- b. If the debt is not satisfied, the SCO will begin collections process.
- 1 to 30 days past due.
 - Mail a first past-due letter including notification of Code of Virginia, §2.1-732 actions, and
 - Make a phone contact and get a promise to pay.
 - 31 to 60 days past due:
 - Mail a past-due letter every two weeks including notification of Code of Virginia, §2.1-732 actions,
 - Send to Debt Setoff Programs, and
 - Make a second phone contact, renegotiate, and get a confirmation letter.
 - 61-90 days past due:
 - Send to pre-collection services agency, and
 - Make a third phone contact, renegotiate, and send a confirmation letter,
 - 91 plus days past due:
 - Send to Office of Attorney General, Division of Debt Collection,
 - List debt and debtor with a credit reporting bureau, and
 - Refuse additional service to the delinquent debtor where there is no conflict with Federal or State laws.
2. As funding is recovered expenditure adjustments will be reported quarterly on the Financial Status Report. Adjustments will usually be made by an offset from drawn down funds.
3. The State will update NEMIS applicant financial information and enter a comment of explanation.

**PROCEDURES FOR FINANCIAL MANAGEMENT, ACCOUNTABILITY AND OVERSIGHT
[44 CFR 206.120(d)(4)]**

A. RANDOM SAMPLE VERIFICATION

1. The State ONA Manager will verify by random sample that ONA funds are meeting applicants' needs, are not duplicating assistance from other means, and are meeting flood insurance requirements.
2. One percent or no less than 30 of all applications completely processed within the first 30 days of the disaster will be reviewed. "Completely processed" means that the eligibility decision has been made and the case is closed in NEMIS. The State will review awards, denials, appeals, and cases involving flood insurance.
3. The State may elect to review additional cases if the sampling reveals a significant or recurring problem.
4. Deficiencies found in the random sample will be reported to the SHSO and corrective action will be taken.

B. PROVISION FOR CASH COMPLIANCE

1. PROGRAM FUNDING

- a. The State's 25% share cost for ONA will be taken from sum-sufficient funds as determined by the Virginia Department of Planning and Budget (DPB) and approved by the Governor. The funds will be maintained in a separate special fund in the State treasury.
- b. After the federal-state agreement is signed and the FEMA HSO confirms Smartlink funds are available, the GCO will complete an Interagency Transfer (IAT) and submit to VDEM. The IAT is a request for a Smartlink drawdown and to have federal and state funds appropriated to DSS. Upon submission of the IAT to VDEM, a request to transfer appropriations is submitted by DSS and VDEM to the Department of Planning and Budget (DPB) through the Form 27 Automated System (FATS). Upon DPB's approval, the appropriation transfer is transmitted to CARS. Once the appropriation transfer is complete, VDEM enters the IAT into CARS to transfer the cash to DSS. This process generally takes 7 to 10 business days. Checks to applicants will be processed after the funds are received by DSS. If delays occur, DSS will advance funds to allow check writing to occur immediately.
- c. IATs will continue to be processed according to disaster activity. During the course of the disaster, some draw downs will be reimbursements and others will be for immediate check writing.
- d. The State will not request loans for funding of ONA.
- e. Final reimbursement to the State, or final debt collection, shall be based on FEMA examination of a voucher filed by the State within the time limitations stated in this section.

2. IDENTIFICATION OF ACCOUNTS

- a. The state's accounting system, CARS, requires the use of fund codes (federal = 1000) and sub object codes (detailed expenditure description codes) for the posting and payment of all expenditures.

- b. Expenditures to the codes are not paid unless funds are available in the appropriate account. Funds transfers and expenditures are monitored by the GCO, Finance, and Budget.
- c. The GCO maintains a manual financial report to reconcile with CARS. The GCO reconciles with DSS Finance and Budget, and VDEM on at least a monthly basis.

3. OUTSTANDING WARRANTS

- a. Individuals have 30 days after disaster close-out date to cash a check.
- b. At least every seven days DSS Finance provides the GCO a list of returned/undeliverable checks. ONA administrative assistant contacts these applicants to verify correct mailing addresses. If contact is not possible by current or alternate telephone, the check is canceled and NEMIS is updated.
- c. At the end of the grant award activity period, DSS Finance provides the GCO with a list of checks that have not cleared the bank. The GCO contacts the applicant by phone and verifies whether the applicant received the check. If received, the applicant is advised to either deposit or cash the check within 10 days. If the check was not received, the applicant must complete an affidavit to that effect and verify the correct mailing address. The GCO requests Finance place a stop payment against the missing check, and issue a replacement check. A comment is made to update NEMIS.

4. GROUP FLOOD INSURANCE PAYMENTS

- a. GFIP premiums will be paid at least monthly. A GFIP report will be printed monthly from NEMIS. The report will be batched with appropriate DSS financial documents and forwarded to DSS Division of Finance. Within 30 days corresponding data will be electronically transmitted to the Virginia Department of Treasury for check writing to NFIP.
- b. Copies of insurance certificates will be reconciled with printout submitted to DSS Finance and NFIP and will be maintained at DSS until the disaster closes. Certificates then will be boxed and moved to storage.

C. REPORTS

1. FINANCIAL STATUS REPORT – SF269A

DSS is responsible for tracking the data needed for the Financial Status Report and submitting the report to the SCO who submits to the Regional Director. Reconciliations between DSS and VDEM occur monthly. Expenditure and revenue reports are reconciled between GCO and DSS Finance monthly. A separate financial report for each disaster will be submitted quarterly.

2. PROGRAM STATUS REPORT - FF76-28

Data keyed into NEMIS will be reconciled at the beginning of the next work day. The GCO will submit weekly Program Status Reports during the grant activity period.

3. FEDERAL CASH TRANSACTIONS REPORT – PMS 272

A FINDS (Financial Information Database System) download is performed to extract the federal expenditures and revenues processed through CARS. The data retrieved is based on the quarter reported and is sorted by project code, which indicates the specific grant. The revenues are reconciled to the draw downs reported in the PMS 272 for that particular quarter and the expenditures are reconciled to the CARS reports and applicable FEMA reports.

GRANT APPLICATION PROCEDURE [44 CFR 206.120(e)]

The State must submit an Other Needs Assistance application to the Regional Director within 72 hours of the major disaster declaration before IHP assistance may be provided. FEMA will work with the State to approve the application or to modify it for approval.

GRANTS MANAGEMENT OVERSIGHT [44 CFR 206.120(f)]

A. PERIOD OF ASSISTANCE

All costs must be incurred within the period of assistance, which is 18 months from the date of the disaster declaration. This period of assistance may be extended if requested and justified in writing by the State and approved in writing by the FEMA Regional Director.

B. REPORTING REQUIREMENTS

1. The State will provide financial status reports, as required by 44 CFR 13.41. and 44 CFR 206.120(f)(2)(i).
2. The State will provide copies of PSC 272, Federal Cash Transactions Report to FEMA, as required quarterly by the Department of Health and Human Services from users of its SMARTLINK service and 44 CFR 206.120(f)(2)(ii).
3. The State shall provide weekly program status reports which include the number and dollar amount of applications approved, the amount of assistance disbursed and the number of appeals received in accordance with 44 CFR 206.120(f)(2)(iii).

C. INVENTORY CONTROL

1. Purchasing of supplies and equipment will be performed in accordance with Title 44, Chapter 3.2, § 44-146.18:1, *Code of Virginia*.
2. The GCO will maintain an inventory of equipment purchased with ONA funds. The list will include the item name, date, and cost of the equipment. Purchases of \$5,000 or more will receive a property tag and be recorded in the DSS property inventory. In time, the State will dispose of these properties through either the State Surplus Program or the Federal Surplus Program governed by Public Law 94-519 and the Virginia Plan of Operation.
3. The GCO will be accountable for any equipment loaned by FEMA to the State in support of ONA. A list will be developed and signed by a FEMA representative and the GCO. The items will be secured under lock and key during non-duty work hours. The State will coordinate with FEMA for the return of these items at close-out of the disaster.

D. MONITORING

1. VDEM monitors DSS reimbursement requests to ensure that supporting documentation is available for review and that expenditures are within the allowances prescribed by state and federal regulations.
2. For accounting and tracking, the GCO maintains a manual record of revenue and expenses; and both DSS and VDEM maintain electronic systems of revenue and expenses. These accounting and tracking systems will be reconciled monthly with the state's financial accounting system (CARS).
3. Program activities and applicant eligibility will be monitored by DSS. A random sampling of both denied and approved applications will be completed during the disaster period. Recipients will be required to submit verifications/receipts to demonstrate how the ONA funds were spent. Case findings will be documented and corrective action for errors found will be implemented. One percent (no less than 30 and no more than 500) of all completed cases will be reviewed.

E. CLOSEOUT [44 CFR 206.120(f)(4)]

1. The State is responsible for closeout of the grant and will follow federal regulations in that regard. The State will complete all grant award activity, including eligibility determinations, disbursements, and disposition of appeals, within 18 months following the declaration date. The State will reconcile costs and payments and submit final reports. The State will provide an inventory of equipment purchased with grant funds and any loaned to it by FEMA for purposes of administering ONA, which lists the items, dates, and costs of equipment purchased.
2. Final reimbursement to the State for costs payable under the ONA program will be based on a voucher filed by the State within the time limitations.
3. If applicant returns funds after program closeout, the program will be re-opened to receive the funds. The State will submit a detailed list of the refunds, an amended Final Status Report (FEMA Form 76-29), an amended Final Statistical Report (SF 269 or 269a, or FF20-10), and an amended Smartlink report.

RECOVERY OF FUNDS FROM GRANTEE [44 CFR 206.120(d)(4)(vi) and (f)(5)(i)]

- A. The State will reimburse the Federal share of awards not recovered through quarterly financial adjustments.
- B. If the State does not reimburse by close out period, a bill for collection will be issued. Recovered funds, interest, penalties, and fees owed to FEMA through delinquent bills for collection may be offset from other FEMA disaster assistance programs from which the State is receiving funds or future grant awards from FEMA or other Federal agencies.
- C. ONA awards made properly by the State on the basis of FEMA verification information are not subject to recovery by the State; therefore, FEMA will not hold the State responsible for repaying the federal share of those awards. A list of these awards and a description of the FEMA error will be submitted in the close-out package.

- D. If the grant is still open and active in Smartlink, the State will offset future expenditures. If the grant is closed the State will send a check.

ADMINISTRATIVE COSTS

Funds provided to the State for disallowed administrative costs for administering Other Needs Assistance will be returned to the FEMA..

AUDIT REQUIREMENTS [44 CFR 206.120(f)(6)]

- A. The State will comply with the uniform audit requirements.
- B. The Controller in the Virginia Department of Accounts monitors State administrative expenditures.
- C. The audit and monitoring standards for budgeting are prescribed by the Virginia Department of Planning and Budget.
- D. The Virginia Auditor of Public Accounts conducts annual audits of departments in accordance with standards prescribed by the Comptroller General of the United States.
- E. All disbursements for which the state requests reimbursement will be subject to federal audit.
- F. The State will implement corrective action within 6 months after receipt of audit non-compliance issues.

DOCUMENT RETENTION [44 CFR 206.120(f)(7)]

- A. The State will retain records, including source documentation, to support expenditures/costs incurred against the grant award, for three years from the date of submission to FEMA of the Final Financial Status Report.
- B. At closeout all paper files are boxed and moved to storage.
- C. At the three year anniversary, files will be approved for destruction. Since NEMIS files are official records, the State expects NEMIS access to the electronic files will remain available until at least the three year expiration date.
- D. The State will resolve questioned costs that may result from an audit conducted during the three-year record retention period and return any disallowed costs.

DEFINITIONS

Virginia Department of Emergency Management (VDEM) - The State agency established and charged by law to coordinate all emergency/ disaster planning and response.

Virginia Department of Social Services (DSS) – The State agency responsible for the administration of ONA.

Applicant - An individual or household who has applied for Individual & Household Program assistance.

Appeal Authority - The state agency who makes decisions on applicant appeals related to Other Needs Assistance.

Dependent - Someone who is normally claimed as such on the federal tax return of another, according to the Internal Revenue Code. It may also mean the minor child who is living with a parent who does not actually claim the child on the tax return at the time of the disaster.

Disaster Field Office (DFO) – The office established in or near the designated disaster area that serves as the program and administrative headquarters for federal and state recovery operations. The DFO houses the Federal Coordinating Officer (FCO) and his support staff and, where possible, the State Coordinating Officer (SCO) and his support staff.

Disaster Recovery Center (DRC) - An information center, staffed by State, Federal and volunteer agencies, located within a federal disaster area where impacted residents may receive information and guidance on state-federal assistance programs.

Eligibility Determinations - The process of deciding whether an applicant qualifies for assistance for necessary expenses and serious needs, and if so, the dollar amount for each.

Federal Coordinating Officer (FCO) – The senior federal official appointed by the Director of FEMA to coordinate the overall recovery following a Presidentially-declared major disaster. The FCO represents the President for the purposes of coordinating the administration of federal disaster assistance in accordance with the provisions of the Stafford Act.

Financial Assistance - Cash that may be provided to eligible individuals and households, usually in the form of a check or electronic funds transfer.

Governor's Authorized Representative (GAR) - The person named by the Governor in the FEMA/State agreement to execute, on behalf of the State, all necessary documents for disaster assistance and evaluate and transmit local government, eligible private non-profit facility, and state agency requests for assistance to the Regional Director following a major disaster or emergency declaration. The Director of the Virginia Department of Emergency Management serves in this capacity.

Grant Coordinating Officer (GCO) - The state official assigned the day-to-day management responsibility in the administrative plan for ONA.

Group Flood Insurance Policy (GFIP) - A policy covering, flood disaster affected, individuals named by a State as recipients under Section 408 of the Stafford Act.

Household - All persons (adults and children) who lived in the pre-disaster residence who request IHP assistance, as well as any persons, such as infants, spouse, or part-time residents who were not present at the time of the disaster, but who are expected to return during the assistance period.

Inspector - Contractor, retained by FEMA to perform inspections for the IHP/ONA program.

Major Disaster – Any natural catastrophe, including any hurricane, tornado, storm, flood, high-water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, which, in the determination of the President of the United States is, or thereafter determined to be, of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act (P.L. 93-288 as amended by P. L. 100-707) to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship or suffering caused thereby and is so declared by the President.

National Eligibility Criteria - The standard prescribed by FEMA that must be applied uniformly in determining eligibility for assistance.

National Flood Insurance Program - The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the Federal Government. If a community adopts and enforces a floodplain management ordinance to reduce future flood risk to new construction in floodplains, the Federal Government will make flood insurance available within the community as a financial protection against flood losses. This insurance is designed to provide an insurance alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods.

National Processing Service Center (NPSC) - A federal facility where applications for temporary housing and ONA are initially processed for verification and eligibility.

National Emergency Management Information System (NEMIS) - Agency-wide telecommunications and applications software used to process disaster applications.

Necessary expense - The cost for acquiring an item, obtaining a service, or paying for any other activity that meets a serious need.

Non-participating Community - a community where Special Flood Hazard Areas (SFHAs) have been designated for at least one year and the community has elected not to join the NFIP.

ONA Case Processors - Employees who review inspection reports, determine eligibility, and recommend award amounts; or who conduct desk reviews of completed cases to determine compliance.

ONA Program Manager - The person responsible for the day-to-day support and administration of ONA in accordance with the State Administrative Plan, and authorizes funding obligations. This person and the GCO are the same.

Primary Residence - The dwelling where the applicant normally lives during the major portion of the calendar year; or the dwelling which the applicant recently has moved into or acquired to move into. The

primary residence is reasonably close to the applicant's place of work or business. Recreational, vacation, or primarily income-producing property does not qualify as a primary residence.

Regional Director - The chief official of the Federal Emergency Management Agency regional office (Region III).

Safe - Secure from disaster-related health hazards.

Sanitary - Free of disaster-related health hazards.

Sanctioned Community - A community that has failed to adopt ordinances complying with the minimum floodplain management requirements of the NFIP, or the community has failed to adequately enforce the minimum floodplain management requirements of the NFIP, or its own floodplain management ordinances, and has been suspended from the NFIP.

Serious need - The requirement for an item or service essential to an individual or family to prevent, mitigate, or overcome a disaster-related hardship, injury, or adverse condition.

Small Business Administration (SBA) - Disaster Loan Program is a federal program that provides loans to individuals for repair, rehabilitation or replacement of damaged real and personal property not fully covered by insurance.

Special Flood Hazard Area (SFHA) - An area having special flood, mudslide, mudflow, and/or flood-related erosion hazards, and shown on an FHBM or FIRM as A or V zones.

State Coordinating Officer (SCO) - The person appointed by the Governor to act in cooperation with the FCO. This person and the GAR are the same.

State Human Services Officer (SHSO) - The State official responsible for establishing and maintaining working relationships with federal, state, and local government agencies and other human needs organizations; developing state policy for human services disaster assistance/relief programs; and managing, administering, and coordinating emergency preparedness, response and recovery assistance for individual disaster victims and disaster impacted businesses, as set forth in applicable federal and state regulations.

Verification - The process by which FEMA and the State confirm and document the disaster-related necessary expenses and serious needs of each applicant.

ACRONYMS

ARC	American Red Cross
DFO	Disaster Field Office
DRC	Disaster Recovery Center
EA	Expedited Assistance
FEMA	Federal Emergency Management Agency
FCO	Federal Coordinating Officer
GAR	Governor's Authorized Representative
GCO	Grant Coordinating Officer
GFIP	Group Flood Insurance Policy
IAO	Individual Assistance Officer
IHP	Individual and Households Program
NEMIS	National Emergency Management Information System
NFIP	National Flood Insurance Program
NPSC	National Processing Service Center
NTC	National Tele-registration Center
ONA	Other Needs Assistance
PIO	Public Information Officer
SBA	Small Business Administration
SCO	State Coordinating Officer
SHSO	State Human Services Officer
SAP	State Administrative Plan
SPHA	Special Flood Hazard Areas
VDEM	Virginia Department of Emergency Management
VDSS	Virginia Department of Social Services
VOAD	Voluntary Organizations Active in Disaster

Appendix 7, Tab A
MEDICAL AND DENTAL

STATE PROCEDURES FOR DETERMINING MEDICAL/DENTAL AWARDS

The State will respond to applications for medical/dental assistance as quickly as possible. Assistance for Medical and/or Dental will be limited to \$2,000 each.

A. MEDICAL/DENTAL VERIFICATION PROCEDURES

1. Send the medical information letter (RFI) to applicant and allow 21 days for return.
2. Obtain the following information:
 - a. Extent of the injury or illness;
 - b. Name of ill or injured individual(s);
 - c. Type of medication(s) prescribed;
 - d. Date injury or illness occurred;
 - e. Physician's name, address and telephone number in order to verify that the injury or illness is disaster-related.
 - f. Pharmacist's name, address and telephone number in order to validate claim for prescription replacement due to disaster loss.
 - g. All information relating to insurance or other medical or dental benefits.

B. Verify that the long-term treatment is disaster-related, necessary, and substantiated by estimates and costs.

C. Ensure that Form 90-69B is on file.

D. Insurance Consideration

1. Proceeds received or offered because of the settlement of an insurance claim must be considered assistance from other means when determining ONA eligibility.
2. Types of insurance that may be applicable to a disaster loss include medical and dental insurance, including Medicaid and Medicare benefits.

APPLICANT RESPONSIBILITIES

To receive an ONA award for medical or dental expenses, an applicant must:

- A. Seek medical or dental attention from a licensed medical provider within the disaster incident period.
- B. Submit a claim for insurance, or for Medicaid or Medicare, and provide the State with information regarding benefits, and
- C. Provide the State with all bills, receipts, and estimates for treatment, services, equipment, and medication, and
- D. Provide the State with a statement from the attending doctor or dentist that the expenses are necessary because of a condition caused by the disaster; and
- E. In cases of long-term treatment, provide the State with certification that the required treatment is disaster-related, and with an estimate of the duration and cost of treatment.

DENIAL

The State may deny an award for medical and dental expenses for the following reasons:

- A. The applicant's needs have been met by insurance, voluntary agencies, other benefit programs, or other means.
- B. The need for medical or dental care is undocumented as a necessary expense or serious need, or is not verified as disaster-related.
- C. The applicant has a current insurance policy or is eligible for a benefits program that covers some or all of their expenses, but fails to file a claim.

Appendix 7, Tab B
FUNERAL

The surviving family member to whom the eligible funeral expenses will be paid may file such application. The State will pay up to a maximum of \$6,000 for funeral expenses except reinterment will be limited to \$1,500.

ELIGIBLE FUNERAL EXPENSES

- A. The services of a funeral director and/or clergyman.
- B. Transportation of the body from the disaster site to the place of burial.
- C. The cost of transportation for two family members to disaster site to identify body.
- D. Casket/urn
- E. Headstone and inscription
- F. Burial plot
- G. Interment or cremation
- H. Death certificates
- I. The cost of reinterment if the disaster resulted in disinternment of the body.

INELIGIBLE EXPENSES

- A. Transportation of family members to the funeral site
- B. Hotel accommodations
- C. Cost of travel to funeral
- D. Cost of repass or reception
- E. Flowers

DUPLICATION OF BENEFITS

The case processor will verify with the family or the funeral director to ensure against duplication of benefits between ONA assistance and an insurance policy and/or other benefits designed exclusively for burial expenses. The source of such benefits include:

- A. Social Security
- B. Veteran's Administration (VA) benefits.
- C. Burial Insurance.
- D. American Red Cross.

The State will not consider proceeds from a life insurance or accidental death policy when determining the amount of an ONA award. Life insurance and accidental death insurance are considered family resources and are not considered duplicative. Burial insurance or funeral benefits provided by another agency must be considered when awarding for funeral expenses.

FUNERAL VERIFICATION PROCEDURES

- A. Acceptable verification is limited to a death certificate, a written statement on letterhead from the doctor, or deceased named on report from Medical Examiner.
- B. There must be a direct link between the death and the disaster.
- C. Ensure that awards are paid to a spouse, adult child, parent, or "legally constituted" estate or trust, handled by an appointed executor, administrator, guardian, or trustee; etc.
- D. When determining the award the State will:
 - 1. Verify that the death was directly disaster-related.
 - 2. Obtain any information regarding burial insurance or assistance provided by voluntary agencies or by veterans or fraternal organizations.
 - 3. Consider life insurance and accidental death insurance as family resources and will not subtract these benefits from the ONA award.
 - 4. Determine eligible expenses from bills and receipts provided by the applicant and award up to the maximum.
 - 5. Obtain a copy of the death certificate as a verification requirement.
 - 6. Ensure a signed FEMA Form 90-69D is on file.

DENIAL OF FUNERAL EXPENSES

The State may deny an award for the following reasons:

- A. The death was not directly disaster-related.
- B. The applicant's burial needs have been met by insurance or other means.
- C. The deceased family member had burial insurance coverage, but the applicant failed to file a claim.

APPLICANT RESPONSIBILITIES

To receive an ONA award for funeral expenses, the applicant must:

- A. Apply for any insurance benefits available for burial and report the settlement. Life and accidental death insurance need not be reported, because these benefits are not duplicative of ONA awards for funeral expenses;
- B. Report assistance from any other sources, such as veterans groups;
- C. Provide a copy of the death certificate, and all bills and receipts.

APPENDIX 7, Tab C
PERSONAL PROPERTY

ELIGIBLE CATEGORIES

A. Clothing

Degree of Damage = Z, Most/all items should be replaced. Award 100%

B. Household items and furnishings

Degree of Damage

X = Damaged but repairable. Award 50%.

Y = Damaged, some items repairable and some replaceable. Award 75%.

Z = Damaged, most/all items should be replaced. Award 100%.

NA=Not affected. Award nothing.

C. Appliances

1. Degree of Damage

X = Damaged but repairable. Award 50%.

Z = Damaged, most/all items should be replaced. Award 100%.

NA=Not affected. Award nothing.

2. Microwave oven will not be awarded if the applicant is awarded a kitchen range.

3. Tractor/blower will not be awarded unless a doctor's statement of need is submitted, or registration data identifies the applicant or co-applicant as disabled or over 60 years of age. In addition, tractor/blower will not be awarded when a lawn mower is awarded.

4. Child safety seat/Booster - Allow replacement of one per dependent child through age five. Maximum of three.

D. Repairs, cleaning or sanitizing any eligible personal property item - Cost will be reimbursable based on a paid, dated, letterhead receipt(s) as supplied by the applicant.

E. Essential tools and equipment that are required by an employer as a condition of employment, or by an educational institution. Refer to Section II.C. of this Appendix for additional eligibility criteria.

ADDITIONAL ELIGIBILITY CRITERIA

A. OCCUPANCY

The applicant occupied the damaged dwelling at the time of the disaster, or the applicant was moving into the damaged dwelling when the disaster struck.

B. PRIMARY RESIDENCE

1. The applicant occupies the residence for more than six months per year, or
2. The applicant was moving into the residence when the disaster struck.
 - a. The State will determine eligibility for applicants in the process of moving on a case-by-case basis. When making this determination, the State may consider the following factors:
 - 1) The date the applicant sold or gave a lease termination notice at the previous residence,
 - 2) The damaged dwelling was under construction at the time of the disaster, or
 - 3) The local government issued a certificate of occupancy at the damaged dwelling or the utilities were connected, or both, before the disaster.
 - b. In addition, the State will consider stored personal property that may be at the old address or the new address due to unfinished moving, or at a storage facility.

If either location is damaged or destroyed by the disaster, the stored eligible personal property items will be treated as if items were damaged in the primary residence.
3. Evidence of occupancy and primary residency includes current utility bills, voter registration card, driver's license, and statements from neighbors, local officials, or the mail carrier.
4. Recreational, vacation, or income-producing property does not qualify as a primary residence.

C. Essential Tools and Equipment

1. Statement from the employer or educational institution on letterhead that the damaged/destroyed essential tools or equipment is a condition of employment or required by the educational institution, and
2. Itemized list of the essential tools or equipment/school books required by the employer or educational institution.

VERIFICATION

Necessary expenses and serious needs are verified through FEMA on-site inspections or supporting documentation, such as estimates or receipts, submitted by the applicant or other identified source.

DETERMINATION OF THE AWARD

The State will:

- A. Verify that the applicant has not received an insurance settlement or SBA loan sufficient to cover necessary expenses and serious needs. The State will subtract any assistance received for those sources when determining the award.
- B. Verify that all damage or expenses recorded during the registration process have been addressed.
- C. Verify that ineligible items have been deleted from the proposed award amount.
- D. Ensure that the listing of rooms and items damaged are consistent with the structural damage to the house. For example, if the inspection report indicates that water during a flood was only 4 inches deep inside a residence, it may not be necessary to replace all furnishings and appliances.
- E. Ensure that the numbers of bedroom and clothing allowances are consistent with household and room composition.
- F. Request, when necessary using a State generated RFI letter, and review documentation from the applicant, employer, or educational institution regarding essential tools and equipment.
- G. Consider eligibility as valid for an applicant who died after date of application and had disaster losses and expenses.
- H. Ensure a copy of FEMA Form 90-69B is on file.
- I. Use Appendix 1 Personal Property Line Item List for making personal property awards to eligible applicants.

INELIGIBLE CATEGORIES

The State will deny an application for personal property for the following reasons:

- A. The applicant's needs have been met by insurance, FEMA, SBA, voluntary organizations, or other means.
- B. The items were not in use at the applicant's primary residence, except as referenced in Section II.B. of this Appendix.

- C. The applicant has insurance but did not file a claim.
- D. The applicant is eligible for an SBA loan but failed to apply; withdrew their application, or refused part or the entire loan; or SBA refused to offer a loan because the applicant failed to purchase a flood insurance policy for a previous SBA loan.
- E. The residence is located in an SFHA in a non-participating or sanctioned community, the current disaster was caused by flooding, and necessary expenses and serious needs are restricted to flood insurable items.
- F. The applicant was required to purchase and maintain flood insurance as a condition for receiving previous Federal disaster assistance and failed to do so, the damage sustained in the current disaster was caused by flooding, and necessary expenses and serious needs are restricted to flood insurable items.
- G. The applicant's residence has been listed by FEMA as non-compliant under Section 1316 of the National Flood Insurance Act of 1968.
- H. The applicant failed to provide requested verifications to document need.

Appendix 7, Tab D
TRANSPORTATION

ELIGIBLE CATEGORIES

- A. Repair, replace, or provide privately owned vehicles, or to provide public transportation.
- B. Eligible vehicles include, but are not limited to, automobiles, vans, pick-up trucks, and motorcycles.
- C. The applicant does not have to be a Virginia resident to receive this ONA assistance; however, the damages must have occurred in a Virginia designated jurisdiction. For example, an individual from another state is vacationing in Virginia. His vehicle, while parked in a Virginia hotel parking lot, is damaged by a tornado. He is eligible if all other eligibility criteria are met.
- D. Special circumstances:
 - 1. Forms of transportation other than vehicles may be eligible. Such forms include public transportation, a boat, bicycle, or other mode of transportation, if the applicant can demonstrate that the item was the sole source of transportation.
 - 2. The applicant may not have owned a vehicle prior to the disaster, but now demonstrates a need for one. For example, applicant used public transportation before the disaster. The employer relocated as a result of the disaster and the new location is not served by public transportation. The applicant may be eligible for a vehicle.
 - 3. The applicant demonstrates the need for repairs to, or replacement of, more than one vehicle.
 - a. A husband and wife both work and their places of employment are not reasonably near each other or served by public transportation.
 - b. Due to an ongoing illness, a second vehicle is needed for transportation to and from the doctor or hospital. Transportation to the doctor or hospital must be required more than twice weekly. The family may be eligible for assistance with more than one vehicle.
 - c. A dependent child, age 16 or older, with a car in his/her name or the parent's name, and this car is needed to maintain employment or for transportation to school (provided a school bus is unable to pick up the child).
 - 4. If a bank or other lender exercises its right to take the proceeds from an applicant's vehicle insurance policy, the State may award an ONA award for the applicant's unmet transportation needs.

OTHER ELIGIBILITY CRITERIA

- A. Proof of ownership and registration

The damaged vehicle must have been registered at the time of the disaster incident. The most acceptable proof is a copy of the registration card in effect at the time of the disaster. If FEMA does not view these documents at inspection the applicant will be required to submit proof before an award is made.

If the vehicle is registered in the name of someone other than the applicant, co-applicant, or minor in the home, the applicant must provide a notarized statement from the registered owner giving the State permission to assist the applicant for that specific vehicle. For example, Jane Jones and Mark Jones are applicant and co-applicant. They apply for assistance with a 1999 Hyundai Elantra. The name on the title and registration is Nancy Friday. However, the vehicle is covered on the applicant's liability insurance policy.

If a car is newly purchased, a bill of sale may be used on a case-by-case basis. Care must be used in this form of verification as a simple handwritten bill of sale will not be accepted without further proof of sale, prior to the date of loss.

B. Proof of disaster damage

The applicant must obtain one estimate from an auto repair facility. This written statement, on the auto repair letterhead, must include a list of the specific damages and estimated costs to repair these damages. Cosmetic damages should not be included.

The estimate should indicate that the damage was disaster-related. If the damage to the vehicle is extensive enough not to warrant repair, the estimate should include the statement "Total Loss".

Estimates are not necessary if the applicant has "paid" repair bills or has receipts. These should be viewed on a case-by-case basis verifying that the bills or receipts are for disaster-related damage and not for normal wear of the vehicle.

The case processor will contact the applicant and repair shop when damages are questionable.

C. Proof of automobile liability insurance

Virginia law requires that motorists carry liability insurance; therefore, the damaged vehicle must have been insured at the time of the disaster incident. If FEMA does not view the insurance policy in effect at the time of the disaster the applicant will be required to submit proof of insurance before an award is made.

Motor vehicle policies may provide "liability only" coverage but some policies also provide comprehensive coverage that will pay for disaster-related damage. To prevent duplication of benefits, verification of comprehensive insurance coverage must be obtained before transportation awards are approved.

VERIFICATION

FEMA verifies the transportation (vehicle) needs and records the following:

- A.. The make, model and year of the vehicle,
- B.. Comprehensive insurance,
- C. Liability insurance,
- D. Damaged vehicle,
- E. Registered vehicles, and
- F. Drivable vehicles.

AWARD CRITERIA and AMOUNTS

A. The State will perform the following when determining the award for a vehicle:

1. Review FEMA's verification of vehicles. If damaged vehicle registration, ownership, and insurance are not seen at time of inspection, the State will contact the applicant and require that documents be provided before eligibility can be determined. In addition, receipts, estimates, or bills must be submitted before an award is made.
2. Verify, through applicant, insurance company statement and/or NEMIS, that the applicant has not received an insurance settlement or SBA loan sufficient to cover necessary expenses and serious needs.
3. Verify the repair costs of the damaged vehicle(s). The applicant will be required to have estimates submitted by the repair shop on letterhead verifying the extent of damage and the cost to repair, if repairable.
4. Determine the number of undamaged vehicles in the household, if any, to verify that there is a need for vehicle repair or replacement.
5. Ensure that FEMA Form 90-69B is on file.

B. AWARD AMOUNTS

1. Repairs - Award is based on repair estimate not to exceed \$2,500.
2. Replacements – Award is limited to \$5,000 for vehicles that are determined to be a “total loss”.

3. Special Equipment – Award is limited to \$1,500 for specialized equipment, such as chair lift, necessary for physically challenged applicants. This award is in addition to any repair or replacement award.

DENIALS

The State may deny an award for transportation for the following reasons:

- A. The applicant's needs have been met by insurance, SBA, or other means.
 - B. The applicant had comprehensive insurance coverage on the vehicle and failed to file a claim.
 - C. The applicant is eligible for a SBA loan, but failed to apply, withdrew, or refused a loan or portion of a loan.
 - D. The applicant did not comply with registration, and insurance requirements.
 - E. The damage is not disaster-related.
 - F. The damage is cosmetic only.
 - G. The applicant has one or more usable vehicles considered adequate to meet his/her/family's transportation needs.
 - H. For cases involving non-vehicular forms of transportation, the need for transportation cannot be substantiated or is not disaster-related.
- To receive an ONA award for a vehicle, the applicant must:

APPLICANT RESPONSIBILITIES

- A. File an insurance claim and find that the settlement does not meet his/her need;
- B. Be determined ineligible for an SBA loan through the income test, be denied an SBA loan, or receive an SBA loan that is insufficient to meet vehicle needs;
- C. Provide the State with proof of ownership when damaged vehicle is in the name of someone other than the applicant or co-applicant, and information demonstrating compliance with registration and insurance requirements; and
- D. When requesting assistance for more than one vehicle, provide written documentation of the need.

Appendix 7, Tab E
MOVING AND STORAGE

STATE PROCEDURES FOR DETERMINING MOVING AND STORAGE AWARDS

The State will:

- A. Verify that the applicant has not received an insurance settlement or SBA loan sufficient to cover moving and storage expenses.
- B. Review the FEMA inspection report to verify the applicant's damaged dwelling sustained sufficient damage to warrant moving and storage of eligible items.
- C. Require the following information be provided by receipts, contracts, or statements from the storage or rental truck company and verify that the dates are within the incident period.
 - 1. Name, address, and telephone number of the storage or rental truck company,
 - 2. Name of customer,
 - 3. Date storage unit or rental truck secured,
 - 4. Amount paid/charged for storage unit or rental truck, and
 - 5. General description of items stored or moved.
- D. Pay storage for up to 3 months or until the applicant returns home or relocates to a new home, whichever comes first.
- E. Not pay for fuel for rental truck.

APPLICANT RESPONSIBILITIES

To receive an ONA award for moving and storage, the applicant must:

- A. Be determined ineligible for an SBA loan through the income test, be denied an SBA loan, or receive an SBA loan that is insufficient to meet moving and storage needs; or
- B. File an insurance claim and find that the settlement does not meet necessary expenses and serious needs; and
- C. Provide documentation, such as receipts or estimates, of expenses incurred for cleaning, repairing, moving, and storing eligible personal property items.

Appendix 7, Tab F
MISCELLANEOUS EXPENSES

ELIGIBLE ITEMS – Items that were not owned pre-disaster but because of the disaster became necessary post disaster purchases. Expenses must be incurred during the disaster incident period.

- A. Wet/Dry Vacuum
- B. Air Purifier
- C. Dehumidifier
- D. Humidifier
- E. Primary Home Heating Fuel
 - 1. Propane
 - 2. Kerosene
 - 3. Fuel Oil
 - 4. Coal
 - 5. Cord of Wood

VERIFICATION

Applicant must provide original store receipt.

DETERMINATION OF THE AWARD

The State will:

- A. Generate a Request for Information for all miscellaneous claims.
- B. Verify that all damage or expenses recorded during the registration process have been addressed.
- C. Verify that ineligible items have been deleted from the proposed award amount.
- D. Ensure a copy of Form 90-69B is on file.
- E. Use Appendix 1 Personal Property Items List when making miscellaneous expense awards to eligible applicants.

INELIGIBLE CATEGORIES

The State will deny an application for miscellaneous expenses when:

- A. The applicant's needs have been met by insurance, voluntary organizations, or other means, or
- B. The applicant fails to provide verification(s) upon request.

APPENDIX 7, Tab G
OTHER NOT SPECIFIED

The State may assist applicants with “OTHER NOT SPECIFIED” needs beyond those eligibility categories identified in Section VII.D.2. of the SAP. Such needs will be documented in this Appendix.

Transportation related costs due to damage to a community’s infrastructure may be eligible.

1. A flood destroys the only bridge in a community. An applicant whose place of employment is on the opposite side of the river is forced to pay for ferry service across the river. The cost of the service may be eligible for a period determined by the State.
2. A hurricane destroys an employed applicant’s rented home in an area served by public transportation. The applicant relocates to a new home that is not served by public transportation. Applicant is unable to get to work. Applicant has need for transportation to and from work and for day-to-day activities. In this case the transportation max award will be paid provided the applicant has a valid driver’s license or is able to secure a valid driver’s license.
3. Transportation for migrant workers whose employment has been affected by the disaster may be eligible. Migrant workers who need assistance with transportation costs must indicate their intention to relocate to the next seasonal place of employment or to return home. The State must verify the effect of the disaster on the applicant’s employment. The State must determine the appropriate award amount based on available common carrier or private vehicle mileage reimbursement.

Appendix 8:
PUBLIC ASSISTANCE

Contact: Bob Andersen, Virginia Department of Emergency Management (VDEM)
(804) 897-6500, ext. 6538

PURPOSE

Subsequent to a disaster declaration by the President of the United States, the Federal Emergency Management Agency (FEMA) provides public assistance to state agencies, local governments, political subdivisions of local governments, certain private nonprofit organizations (PNP's), and State-recognized Indian Tribes and/or authorized tribal organizations. This assistance can cover debris removal and/or emergency protective measures taken during the response and recovery phases, as well as repair and restoration of damaged public facilities during the recovery phase. It also covers certain mitigation actions pursuant to Section 406 of the Stafford Act to prevent or minimize damage due to emergencies/disasters in the future. .

A grant is made to the state by FEMA. The state then authorizes sub grants to eligible applicants within the state. Funding is provided on a cost-sharing basis, with percentages established in the FEMA-State Agreement, but generally requiring a federal share of no less than 75 percent. For the local governments and their political subdivisions, the state and the eligible applicant share the cost of the remaining 25% based on stress factors for individual localities. These stress factors are developed each year and are based on calculations of local economic activity and an inflation factor. Note that eligible projects for State-recognized Indian Tribes and/or authorized tribal organizations receive a full 25% state grant and that eligible PNP's never receive a state grant.

The purpose of this appendix is to: (I) discuss the purpose of this appendix, (II) set forth a program description, policies and procedures, (III) present organizational roles and responsibilities of the state in administering both the Public Assistance (PA) Program and the Fire Suppression Assistance Program (FSA), (IV) outline a Concept of Operations, (V) list authorities and references, and (VI) list definitions. The primary focus of this appendix is the FEMA and state PA programs for Presidentially declared emergencies/disasters and the management of Federal and state grants for response, recovery and mitigation. However, it should be noted that in the case where there is no Presidential declaration, but there is a Gubernatorial declaration, the Governor retains discretion as to the level and timing of funding. In emergencies declared solely by the Governor, or by the Governor and the President, VDEM is the state agency, which will coordinate actions.

PROGRAM DESCRIPTION

General

PA funding is limited to:

- (1) During response and recovery, debris removal and certain protective measures immediately prior to, during and immediately following the disaster or emergency,
- (2) During recovery, repairing and/or restoring eligible damaged equipment and facilities to their pre-disaster condition

- (3) For the mitigation phase, identifying potential PA mitigation opportunities and corrective engineering solutions. In cases where facilities were insured, the grants will be provided for the uninsured portion of the losses, where no other funding sources are available. In cases where facilities had no insurance but could have been insured, grants will be provided to cover uninsured losses, minus an amount for the insurance which should have existed, provided such insurance was readily available, when no other funding sources are available.

The overall amount of the Federal grant for the State is result of two analyses of the damages from an emergency/disaster. The first of these is an estimate conducted immediately following an emergency/disaster by individual localities. This estimate, called an Initial Damage Assessment (IDA), is critical to the success of the overall program. It is used by the Governor in his consideration of whether or not to declare an emergency and/or ask for a Presidential declaration. Guidance on resources and methods to be used for the IDA are described later in this Plan.

The IDA is followed at a later date (usually a few days) by the second analysis. A Preliminary Damage Assessment (PDA). A FEMA/State team conducts the PDA, working with local staff. The PDA may update and expand the IDA, but both are important since together they shape the total amount of Federal resources, which can be brought to bear in responding and recovering from a Presidentially declared emergency/disaster.

Eligible applicants under the PA program are:

- a. State agencies, local governments and their political subdivisions which operate within their own budget;
- b. Certain Private Non-Profit (PNP's) organizations; and
- c. State-recognized Indian Tribes and/or authorized tribal organizations

Policy Guidance for determining the eligibility of PNP organizations and their facilities is as follows:

1. Applicants – Basic Statutory and Regulatory Requirements.
 - (a) The applicant must have a ruling letter from the U.S. Internal Revenue Service or satisfactory evidence from the State that it is a nonprofit organization doing business under Virginia law.
 - (b) The applicant must meet requirements as listed in 44 CFR 206.221 through 44 CFR 206.226, including the need to own or operate an eligible facility and to be legally responsible for disaster-related projects.
 - (c) The applicant must meet the requirements of the Civil Rights Act of 1964.
 - (d) The applicant must not be affiliated with any religion.
 - (e) The facility must be open to the general public at no cost or a nominal cost (except for educational, utility, emergency, medical, or custodial care)
2. Facilities – Basic Statutory and Regulatory Requirements.

- (a) The facility, at a minimum, must meet the criteria outlined in 44 CFR 206.221(e).
- (b) The facility must be primarily used for one of three services or facilities listed in 44 CFR 206.221(e).
- (c) Eligible PNP Facilities. The following generally are eligible for assistance, and may be subject to certification.
 - (1) educational facilities (as defined in 44 CFR 206.221(e)(1))
 - (2) utilities (as defined in 44 CFR 206.221(e)(2))
 - (3) irrigation facilities (as defined in CFR 44 206.221(e)(3))
 - (4) emergency facilities (as defined in CFR 44 206.221(e)(4))
 - (5) medical facilities (as defined in 44 CFR 206.221(e)(5))
 - (6) custodial care facilities (as defined in 44 CFR 206.221(e)(6))
 - (7) facilities that provide essential governmental services and which must be open to the general public (as defined in 44 CFR 206.221(e)(7)), such as:
 - i) museums
 - ii) zoos
 - iii) community centers
 - iv) libraries
 - v) homeless shelters
 - vi) senior citizen centers
 - vii) shelter workshops, and
 - viii) health and safety services of a governmental nature, including, for example:
 - low-income housing (as defined by Federal, State or local law or regulation)
 - alcohol and drug treatment centers
 - residences and other facilities offering programs for battered spouses
 - animal control facilities directly related to public health and safety,
 - facilities offering food programs for the needy, and
 - daycare centers for children, or individuals with special needs (e.g. those with Alzheimer's disease, autism, muscular dystrophy, etc.)

3. Requirements for PNP's for Filing Directly to FEMA, through the State

PNP projects for Category A (Debris Removal) and Category B (Emergency Protective Measures) can be filed directly for FEMA assistance, through the State, without applying for a Small Business Administration (SBA) loan. This is true for both critical and non-critical work.

PNP projects potentially eligible for Categories C-G (Permanent Work) which are critical may also file directly for FEMA assistance without applying for a SBA loan. Critical services as defined in CFR 44 206.226©(1) include power, water, sewer and wastewater, communications, medical treatment, fire protection, emergency rescue, and nursing homes. For all other projects PNP's must apply first to the SBA.

4. Requirements for Application to the SBA

PNP facilities potentially eligible for permanent work assistance (Categories C – G) that provide “non-critical services” must first apply for a disaster loan from the SBA before applying to FEMA for disaster assistance. However, for emergency work “Non-critical “ PNP’s may apply directly to FEMA (see Paragraph 3 above). “Non-critical services” include educational facilities as well as those facilities defined in 44 CFR 206.221(e)(7), The SBA loan application process for “non-critical” PNP facilities will result in one of three outcomes:

- a. If the PNP is declined for an SBA loan, the PNP may then apply to FEMA through the State for public assistance.
- b. If the SBA loan fully covers eligible damages from the disaster event, then no assistance from FEMA is available.
- c. If the maximum SBA loan for which the facility is eligible does not fully cover eligible damages, the PNP may then apply to FEMA for the excess eligible damages.

Eligible PNP’s are also required to apply to SBA for any 406 Hazard Mitigation costs.

5. Ineligible PNP Facilities.

Some PNP facilities that might have been assisted prior to 1993 are no longer eligible under the governing statutes and regulations. Examples include:

- (1) recreation facilities
- (2) job counseling and training centers
- (3) facilities for advocacy groups not directly providing health services
- (4) public housing (other than low-income)
- (5) cemeteries
- (6) performing arts facilities
- (7) parking garages
- (8) conference facilities
- (9) facilities maintained by property owners’ associations such as roads and recreational facilities (except those facilities that could be classified as utilities or emergency facilities), and
- (10) daycare centers for purposes other than those described in Paragraph 2© under this section.

State Recognized Indian Tribes – and/or State authorized tribal organizations

State-recognized Indian Tribes and/or authorized organizations within the Commonwealth of Virginia are eligible for public assistance from FEMA. The state will fully fund the percentage of the project not funded by FEMA. All other provisions and conditions of the PA program apply to State-recognized Indian Tribes and/or authorized organizations in the same manner as they do to local governments and their political subdivisions.

Cost-Sharing Policy

Eligible PA costs are shared on a Federal and non-Federal basis. The Federal cost-share ratio is generally at least 75%, but the President can adjust the ratio upwards for catastrophic disasters or for multiple/concurrent events. The State's share of eligible costs will be defined in the FEMA-state agreement for each emergency or disaster declared by the President.

Localities are not eligible for costs unless they meet the FEMA threshold requirement of \$2.77 per capita in damages as identified in the IDA/PDA's

Local governments and/or their political subdivisions will be required to cost-share with the State for the State share. The local government share is calculated based on stress factors developed annually reflecting the general economic activity of the locality and inflation factors.

PA Categories

The PA Program consists of two main types of work: Emergency and Permanent. Emergency Work has two categories (A and B), and permanent work has five categories (C through G).

a. Emergency Work. This work is done immediately prior to, during and immediately following an emergency/disaster. It saves lives, maintains public health and safety, protects and preserves property, and provides temporary facilities to restore essential public services.

The two "Emergency" categories are identified by the letters "A" and "B" and are further defined as follows:

Category A - Debris Removal. PA provides for removal of debris and wreckage resulting from a major disaster or emergency. Eligible work includes debris removal from public roads and streets, including rights of way, other public property, and in special cases, private property.

Category B - Emergency Protective Measures. PA provides reimbursement for emergency protective measures to save lives, remove health and safety hazards, and protect property in a Presidentially declared disaster or emergency.

b. Permanent Work. This work provides assistance for repairing, restoring, reconstructing, or replacing any public facility belonging to an eligible applicant. The Federal share is made on the basis of the design of the facility, as it existed immediately prior to the disaster and/or in conformity with applicable local, state and national codes, specifications, and standards. Public facility includes any publicly owned flood control, navigation, irrigation, reclamation, public power, sewage treatment and collection, water supply and distribution, watershed development, or airport facility, and non-Federal aid street, road or highway; or any other public building structure or system, including those used for educational, recreational, or cultural purposes (except for PNP's).

The five "Permanent Work" categories are identified by the letters "C" through "G" and include the following work:

(1) Category C – Road Systems – roads, bridges, traffic controls, streets, culverts, etc

(2) Category D – Water Control Facilities – dikes, levees, dams, drainage channels and irrigation systems

(3) Category E – Public Buildings and Equipment. – public buildings, supplies or inventory, vehicle or other equipment, transportation systems and higher education facilities.

(4) Category F – Public Utilities Systems – storm-water drainage systems, sanitary, sewage, light and power facilities.

(5) Category G – Other – Park Facilities – Recreational facilities

III. ORGANIZATION/STATE ROLES AND RESPONSIBILITIES

The Governor is the Director of Emergency Management for the Commonwealth of Virginia as established by The Emergency Services and Disaster Law of 2000, as Amended, Section 44-146.17. The Virginia Department of Emergency Management (VDEM) is similarly established by the Emergency Services & Disaster Law of 2000, as Amended, Section 44-146.18, as the state agency responsible for emergency management, including the administration of disaster relief for Virginia. Its director, the State Coordinator Officer (SCO) of Emergency Management, is appointed by the Governor. During a Presidentially declared major (how and where is major defined) disaster, the Governor's Authorized Representative (GAR), normally the SCO, will be designated by the Governor as the official responsible for administration of the PA Program. The GAR, assisted by the Public Assistance Officer (PAO), will be responsible for providing technical guidance and assistance to subgrantees during the response and recovery period and throughout the duration of each disaster contract. A disaster contract is established for each Presidentially declared disaster by FEMA. Among other things, the contract sets forth the beginning and ending period for which Federal public assistance is available.

The guidance, assistance, and program management provided by the state shall be sufficient to ensure grantee and subgrantee compliance with the FEMA-State Agreement and grant conditions pertaining to each declared disaster. The (PAO) is responsible directly to the GAR for implementation of the PA program.

It is Virginia's policy to provide a state official to work in partnership with his/her counterpart federal official in most programmatic and subprogrammatic areas, especially where local governments are involved. Therefore, the state's PA organization will, mirror the FEMA organization. FEMA is the Federal I organization with responsibility for emergency management at the Federal level. The GAR as needed for each disaster will make adjustments.

A. Agencies and Task Assignments

1. Primary Agency - VDEM:

- a. Designate a PAO to administer and supervise the program.
- b. Recruit and train reservists to assist with the PA part of the IDA/PDA process and with the implementation of the PA program following a major disaster declaration.

- c. Publicize program availability. Ensures that all affected local jurisdictions are informed of the Presidential or Gubernatorial declaration, the types of assistance authorized, and the counties/incorporated cities eligible to receive such assistance.
- d. Identify and notify potential applicants of applicant briefings.
- e. Schedule and conduct applicant briefings.
- f. Request Immediate Needs Funding (INF) on behalf of applicants, as needed.
- g. Attend the Kickoff Meeting.
- h. Assign a State Public Assistance Coordinator (PAC) to work with the FEMA Public Assistance Coordinator (PAC).
- i. Assist FEMA in determining work and applicant eligibility.
- j. Process requests for time extensions, improved projects, advances, and reimbursements.
- k. Make recommendations to FEMA on appeals and alternate project requests.
- l. Develop procedures for the disbursement of funds.
- m. Coordinate using FEMA databases and prepares reports as required.
- n. Comply with administrative requirements of 44 CFR, Parts 13 and 206 and the audit requirements of 44 CFR, Part 14.
- o. Secure insurance information from applicants when required, and other required documentation such as copies of bills for the purchase of equipment and hourly wage records.
- p. Review and certify project completion information.
- q. Conduct quarterly reviews, site inspections, audits, and final inspections as required to ensure program compliance.
- r. Determine State budget and staffing requirements necessary for proper PA program management.

2. Support Agencies:

The following state agencies, when requested by VDEM, will designate personnel to be prepared to assist the GAR/SCO as needed to administer the PA Program. The GAR/SCO may also use reservists, temporary hires, and/or contractors to perform these duties.

- a. Department of Transportation.
- b. Department of Conservation and Recreation.

- c. Department of Health.
- d. Department of Agriculture and Consumer Services.
- e. Department of Environmental Quality.
- f. Department of Aviation.
- g. Auditor of Public Accounts.
- h. Department of Taxation
- i. Virginia State Police Department
- j. Department of Fire & Safety
- k. Department of Forestry
- l. Institute of Marine Science
- m. Department of Game & Inland Fisheries

B. Key Staff Positions

1. Governor's Authorized Representative (GAR) – The person designated by the Governor to execute all necessary documents for disaster assistance programs on behalf of the state and local grant recipients. The GAR is responsible for State compliance with the FEMA-State Agreement. Normally, the GAR will also be designated as the State Coordinating Officer.
2. State Coordinating Officer (SCO) – The state official appointed by the Governor to coordinate with the FCO to administer federal disaster assistance programs in accordance with the provisions of the Stafford Act.
3. Deputy State Coordinating Officer (DSCO) – The person (normally, a VDEM employee) designated by the GAR/SCO to assist in program-related matters, supervise the state's part of Disaster Field Office (DFO) operations, coordinate state public information activities, determine staffing and budgeting requirements necessary for program management, provide state support for program activities as needed, maintain accountability for federal disaster assistance funds, and request direct federal assistance as needed.
4. State Public Assistance Officer (PAO) – The person (VDEM employee) responsible for administering the Public Assistance program.
 - a. Prepares the PA part of the Initial Damage Assessment (IDA) Summary Report.
 - b. Participates in the PA part of the Preliminary Damage Assessment (PDA) process. Prepares other state agency personnel and reservists to serve on IDA and PDA-PA teams.

- c. Implements program requirements on behalf of the GAR/SCO
- d. Trains and supervises staff.
- e. Schedules and conducts applicant briefings.
- f. Assists FEMA in determining applicant eligibility.
- g. Ensures that technical assistance, guidance, and training are provided to applicants.
- h. Oversees the daily operation of the program.
- i. Prepares documents required for grant award.
- j. Reviews and processes requests for advances of funds.
- k. Reports uninspected damages to the FEMA Regional Director (RD) within 30 days.
- l. Makes eligibility recommendations to FEMA.
- m. Establishes work completion dates.
- n. Reviews and recommends time extensions to GAR/SCO.
- o. Prepares requests to FEMA for GAR/SCO for time extensions for period beyond state authority.
- p. Evaluates cost overruns and recommends action to FEMA.
- q. Disburses funds based on documentation.
- r. Appeals RD's determinations as needed within 60 days.
- s. Consolidates and submits periodic claims for audit costs.
- t. Responds to audits as required.
- u. Notifies the Federal Coordinating Officer (FCO) of known insurance settlements before award of grants.
- v. Submits insurance commitment forms to FEMA.
- w. Responds to inspections (supplemental, interim, and final).
- x. Completes program closure requirements.
- y. Identifies need and source for additional staff.
- z. Serves as liaison with FEMA PA Branch.

5. Accountant – The person qualified to assist VDEM perform professional accounting work in support of PA programs.
6. State Applicant Liaison Officers, State Resource Coordinators, State Program Specialists, State Technical Specialists, Administrative Technicians and Reservists – Qualified personnel from applicable state agencies who will assist PA in assessing damages, preparing and reviewing Project Worksheets, conducting inspections when necessary, and providing other Public PA program support services as needed.
7. Deputy Public Assistance Officer (DPAO) – A VDEM employee who assists the PAO with responsibilities listed in Paragraph 4 above and acts on behalf of the PAO in his/her absence to fulfill program requirements.
8. State Public Assistance Coordinators (PACs) – VDEM employees or temporary hires that, in coordination with FEMA PACs, will provide assistance to applicants. PACs are assigned to work an individual applicant's case from beginning to end—from kickoff meeting to closeout. They will help to document damages, determine eligible repair work, estimate costs, develop work projects, evaluate special considerations, certify the completion of recovery work, and ensure that all eligible costs have been reimbursed.
9. Private Nonprofit (PNP) Coordinator – A VDEM employee or temporary hire who assists the PAO in determining the eligibility of PNP organizations and facilities.
10. Fiscal Representative – A VDEM employee assigned to the Disaster Field Office (DFO) to initiate the processing of advances/payments, monitor fiscal procedures until claims are finalized, and review audits to assure subgrantees comply with Single Audit Act. If required, temporary personnel will be hired to assist in this task.
11. Project Officer (PO) – A federal or FEMA-approved state official who is assigned to help the applicant prepare a detailed Project Worksheet for a large project (\$54,100 or more in 2004).
12. Validation Specialist – A federal or FEMA-approved official who validates an applicant's small projects (less than \$54,100 in 2004) early on through on-site visits and a detailed review of Project Worksheets.

CONCEPT OF OPERATIONS

- A. PA is that part of disaster relief through which the federal government supplements the efforts of state and local governments to return the disaster area to pre-disaster conditions. These efforts primarily address debris removal and emergency protective measures taken during the response phase of the emergency/disaster, i.e. immediately prior to, during, and immediately after the emergency disaster. They also include efforts in the recovery phase such as the repair and restoration of public facilities, infrastructure, or services that have been damaged or destroyed. Finally, they include some mitigation projects with potential to prevent emergency/disaster damage in the future.
- B. PA will assure pre-declaration activities are conducted. These activities include, as a minimum, ongoing training on all aspects of the PA program for VDEM PA personnel and for individuals recruited as temporary hires under the State's PA Disaster Reservist Program. Ongoing training and

briefings will be conducted periodically for state agencies and local government personnel by VDEM PA staff.

- C. FEMA has recently revised the PA to make it more efficient through automation, to require local governments to manage more of their own projects, and to disperse partial funding earlier in the process.
- D. These changes have streamlined the funding methods for PA projects. Currently, there are two types of grants (funding methods) available that are based on the cost of the project:
 - 1. Large Project Grants

When the total cost to repair or replace eligible public damages is \$54,100 (as set for 2004) or more, a “large project grant” can be secured. All projects approved under a FSAire Suppression Assistance grant are also considered “large projects.” (The \$54,100 will be adjusted annually as the consumer price index increases.) Funding for large projects will be authorized on an incremental cost-reimbursement basis in accordance with the FEMA-approved scope of work. A FEMA/State PO will be assigned to work each project to completion. Large projects are a team effort with federal, state, and local officials as partners. After all work is complete, there will be a final inspection and a final adjustment of funding.

- 2. Small Project Grants

When the total cost to repair or replace eligible public damages is less than \$54,100, a “small project grant” can be secured. (The \$54,100 will be adjusted annually as the consumer price index increases.) Funding for small projects will be based on the federal share of the Project Worksheet (PW) estimate. Approved funding will be processed for payment once these projects are approved by FEMA and the applicant has satisfied all initial application requirements. The applicant or applicant’s agent will administer small projects. Excellent documentation is required. Small projects are usually closed as a group.

Project applications for public sites may be approved to fund a variety of projects that fall within one of the following seven categories. Categories A and B are “emergency work” and Categories C through G are “permanent work.” Emergency work includes efforts to save lives, protect property, and maintain the operation of essential facilities during the first six months following a disaster; however, extensions are available for all work if approved by FEMA. Permanent work involves actions necessary to repair, restore, reconstruct, or replace public, and certain private nonprofit facilities damaged or destroyed by the disaster for a period of 18 months. Projects falling under this category are only eligible if they address public safety.

Category A – Debris Clearance. Includes all storm induced debris on nonfederal public roads, including rights-of-way, nonfederal public waterways, other public property, and private property when undertaken by local government forces. It can also cover the demolition of public structures made unsafe by the disaster.

Category B – Emergency Protective Measures. Addresses the need to provide appropriate emergency measures designed to protect life, safety, property, and health (i.e., barricades, sandbags, and safety personnel).

Category C – Road Systems. Addresses damage to nonfederal roads, bridges, streets, culverts, and traffic control devices, when the Federal Highway Administration does not provide funding.

Category D – Water Control Facilities. Eligible damages include costs to repair or replace dikes, dams, drainage channels, irrigation works, levees, and floodwalls.

Category E – Buildings and Equipment. Eligible damages include costs to repair public buildings, supplies or inventories that were damaged, and transportation systems such as public transit systems.

Category F – Public Utility Systems. Assistance is available for damaged water systems, landfills, sanitary sewerage systems, storm drainage systems, and light/power facilities.

Category G – Other. All other public facilities that do not fit in one of the above categories, such as parks and recreational facilities. PNP's are not eligible for all sub-categories under this area. Refer to pages 2 through 5 of this plan for specific categories of PNP projects not eligible for PA.

PUBLIC ASSISTANCE CATEGORIES

EMERGENCY WORK

A. Debris Clearance

B. Emergency Protective Measures

Emergency work means that work which must be done immediately to save lives and to protect improved property and public health and safety, or to avert or lessen the threat of a major disaster.

PERMANENT WORK

C. Road Systems

D. Water Control Facilities

E. Buildings and Equipment

F. Public Utility Systems

G. Other

Permanent work means repairs or replacement that will restore an eligible facility to its pre-disaster design while meeting current building standards.

The process for securing PA is summarized below. Reference the FEMA Public Assistance Applicant Handbook for a more complete explanation. This handbook may be obtained by making a request to FEMA by phone at 1-800-480-2520 Monday through Friday between the hours of 8 am and 5 pm Eastern Standard Time, or by fax at 301-362-5335. You may also request it in writing at the following address:

FEMA
PO Box 2012
Jessup, MD 20794-2012

Request the FEMA Public Assistance Applicant Handbook, #9-1613, FEMA 323, Publication Date 9/1/99. Specify how many copies you want. The limit is 200 copies.

1. Initial Damage Assessment (IDA) and Preliminary Damage Assessment (PDA)

The IDA is conducted immediately following the emergency/disaster and local resources conduct it. The Citizens Emergency Response Team (CERT) can be a resource for this, as well as any reservists that may be available. Fire, police or emergency management technicians can be used as well, if available. The IDA is important because it begins to shape the size of the damage resulting from the emergency/disaster. Understanding the impact of the disaster quickly will help speed recovery funding in the right amounts to the right places. The IDA will be modified later by the PDA that follows within a few days of the emergency/disaster. However, the PDA is conducted by a FEMA/state team together with local staff. A good IDA increases the overall quality of the PDA.

PDA is the process used to determine the magnitude and impact of a disaster. A FEMA/state team will usually visit each affected city or county to view damage firsthand, to assess the scope of damages, and to estimate repair costs (see Appendix 1). Under the PA program, PDA data forms will be completed which will provide additional information making the follow-on delivery of assistance more effective and efficient.

2. Immediate Needs Funding (INF)

Immediate Needs Funding is money earmarked for the most urgent work in the initial aftermath of the disaster. If damage sites have been surveyed in the PDA, eligible applicants may apply for INF within several days of the disaster. INF may be up to 50 percent of the federal share of the PDA estimate for emergency work (Categories A and B). Any up-front money an applicant receives will be offset later against actual emergency work projects as they are received.

3. Applicants Briefing/Request for Public Assistance

- a. The Applicants Briefing is a meeting conducted by the state to inform prospective applicants of available assistance and eligibility requirements for obtaining federal assistance under the declared event (see Tab A). The state also discusses the process for obtaining assistance. These meetings are conducted within a few days of the declaration and the Request for Public Assistance forms, which must be completed by the eligible applicants, are usually distributed

and collected at this time. Each applicant will be asked to submit a list of potential small and large projects to the state PAC. The form called "Request for Public Assistance" is very important because it starts the process for obtaining financial assistance. The PACs will assist the applicants in filling out this form.

- b. The requirements and procedures for requesting and obtaining available PA will be explained at the applicant briefings. Specific issues that will be addressed include:
 - (1) Applicant eligibility requirements
 - (2) Application procedures for applicants
 - (3) Completion of Request for Public Assistance (RPA)
 - (4) Designation of applicant's authorized representative and their responsibilities
 - (5) The PA process and applicable deadlines
 - (6) Roles/responsibilities of grantees and applicants
 - (7) Applicant responsibility for identifying incident related damages
 - (8) General work eligibility, including categories of work
 - (9) general cost eligibility, including Virginia prevailing wage
 - (9) Laws types of funding (small and large projects)
 - (10) Funding options (improved and alternate projects)
 - (11) Insurance requirements
 - (12) Project completion dates
 - (13) Procedures for requesting time extensions on approved projects
 - (14) Documentation and record-keeping requirements
 - (15) Cost overruns and under runs
 - (16) Appeal procedures and time requirements
 - (17) Interview, Final inspections and close out
 - (18) Audit requirements
 - (19) Volunteer Cred

4. Kickoff Meeting

Within one week after an applicant submits a Request for Public Assistance form, the federal and state PACs will contact the applicant to set up a Kickoff Meeting in his/her locality. At this meeting damages will be discussed, the needs of the applicant will be assessed, and a plan of action will be put in place. The PACs will advise the applicant what will be expected and provide detailed instructions on what to do and how to do it.

5. Project Formulation

- a. The next step in disaster recovery is to fully document the extent of damages and to plan the repair work. To facilitate review, approval, and funding, repair projects are divided, by dollar amounts, into small and large projects.
- b. In most disasters, the majority of work consists of small projects. A small project is any eligible work, either emergency or permanent, costing from \$1,000 to \$54,100 (FFY 2004). Funding for small projects is based on the federal share--usually 75 percent--of the approved estimate of eligible work.

- c. Although the applicant is responsible for identifying large projects, only the basic description of the project and a broad cost estimate is required. Large projects, those with damage costs over \$54,100 (FFY 2004) will be formulated as a team effort with FEMA, state, and local representatives as partners. Funding for large projects is based on actual costs to complete the eligible scope of work. The funding for each project will be adjusted after all work is complete.
- d. Following are some examples of project formulation, applicable to both small and large projects:
 - (1) Specific Site – All work at a specific site may be a project, such as a single road washout site. This method is used often if the site has special considerations.
 - (2) Specific Facility – All work on a bridge may be a project, or restoration of a building and its contents may be a project. This method is used most often for large projects.
 - (3) Type of Damage – All work under a specific category may be a project such as debris removal (category A) or all work at certain types of facilities may be a project, such as all gravel roads on one project and all paved roads on another.
 - (4) System – All work to a system may be a single project, for example, repairs to the water distribution system including waterline breaks may be one project.
 - (5) Jurisdiction – All work within a specific area such as a park may be a project or all work within an administrative department of an applicant, such as the city police, fire, and public works departments, may each be a project.
 - (6) Method of Work – A project may be grouped around how the work will be completed. For example, all work completed under a single contract may be a project. Or, all work undertaken by a force account crew may be a project.
 - (7) Complex – For extensive damage to several facilities at a complex (for example, a high school) all damage at the school could be combined into one project, or separated into several projects, such as roof repair, or work done by a single contractor, or all repairs done by a force account.
 - (8) Special Considerations – special issues that might take longer to resolve, such as environmental or historic concerns may group a project.

6. Project Worksheet

A PW is the form used to document a work project. It describes the facility, the location, its pre-disaster function, and the disaster-related damage. This form supplies FEMA and the state with the information necessary to approve the scope of work and itemized cost estimates prior to funding. See the form and an example at Tab B. The approved PW becomes the basis for funding. Federal and state PACs will assist each applicant with their completion of each. They will advise the applicant concerning eligible work, special considerations, cost estimates, and documentation.

- a. PW is prepared for both emergency and permanent work. Local representatives will prepare the PW's for small projects (less than \$54,100 for FY 2004), unless they request the Federal and/or State PACs to do so. FEMA and/or State PACs and specialist will develop PW's for large projects (\$54,100 or more for FY2004)

The PW defines the scope of eligible work, estimates project costs, and when approved by FEMA Region III in Philadelphia, authorizes Federal funding for restoration and certain administrative costs. Allowable Administrative Costs for each PW are as follows:

1. Three (3) percent of first \$100,000 of net eligible costs.
2. Two (2) percent for the next \$900,000 of net eligible costs.
3. One (1) percent for the next \$4,000,000 of net eligible costs
4. One-half (1/2) percent for the next \$5,000,000 of net eligible costs.

The applicant and the PAC must also screen projects to determine if special considerations apply. This includes requirements for insurance; issues related to environmental compliance, historic preservation, hazardous materials, and implications of the Coastal Barriers Resource Act. PWs should identify any potential projects/sites for hazard mitigation consideration.

FEMA and state representatives will "validate" 20% of the small PW's prepared by the applicant.

At the Disaster Field Office (DFO), all permanent work PW's will be subject to technical eligibility reviews prior to approval. This review will include hazard mitigation considerations by the State Hazard Mitigation Officer or trained representative.

The DFO is an office established by FEMA for major emergencies/disasters where FEMA and state personnel are collated so as to facilitate the team effort needed to provide disaster relief quickly and efficiently. The DFO is usually located at or near the center of the disaster. The DFO will remain open until FEMA and the state mutually agree on a date to close it. In no event will FEMA close the DFO until at least 90% of the expect PWs are complete and in the system.

Multiple projects for multiple sites can be written under one PW. FEMA can combine them to form one version, which is provided to the State. This PW will list all approved projects for one applicant as of that date. However, additional versions may be necessary to make adjustments to scopes of work or funding, or to close out large projects when the work is completed.

PW's will be prepared by using the applicant's supported estimates, actual costs, state-wide average rates, or the FEMA cost codes. If the applicant has established equipment rates they will be used if they are lower than the FEMA cost code. However, if an applicant certifies that the FEMA cost code does not reflect their actual costs, the applicant must show certification of the rates and acquire prior FEMA approval to assure the costs are reasonable.

In the absence of local cost documentation, FEMA equipment rates will be used as a basis for applicant-owed equipment costs for each project.

According to FEMA's current PA regulations, isolated damage sites, which cost \$999.99 or less cannot be approved. An exception to this rule would be if numerous sites each less than

\$999.99 comprised a system (e.g., multiple roads, utilities, debris sectors, etc.) when combined would exceed \$1000.

The value of volunteer labor and donated equipment will be included in each PW, where appropriate. However, if this is not practical due to a high number of PW's, then one PW will be prepared for all volunteer labor and donated equipment for Categories A and B work for each applicant. A PW will be cost shared by the current Federal-State agreement in effect for that particular disaster.

Volunteer labor, donated equipment and donated materials are eligible to offset the non-Federal portion of the cost for recovery work. The amount of credit that can be applied to a project is capped at the non-Federal share so that the Federal share will not exceed the applicant's actual out-of-pocket costs. Any excess credit can be applied to other emergency work projects of the applicant.

Donated resources must be documented and must include a record of hours worked, the work site and a description of the work. Volunteer labor will be valued at a rate that would be consistent with that for a person ordinarily performing the work in the same labor market. The value of donated equipment should be determined by using the applicable FEMA equipment rate and multiplying it by the number of hours the piece of equipment was used performing eligible work.

CERT personnel are volunteers. Overtime for local government personnel is eligible for PA funding with documentation. Regular hours for local government employees are not eligible for reimbursement.

7. Documentation

Documentation is the process of establishing and maintaining accurate records of events and expenditures related to an applicant's recovery work. Each applicant should designate a person to coordinate the accumulation of records and to establish and maintain a file for each project. Each applicant is required to maintain accurate disbursement and accounting records to document the work performed and the costs incurred. These records will be the basis for verification of the accuracy of claims during the subsequent validation process and during any subsequent state or federal audit.

8. Small Project Validation

Since the applicant will be determining eligibility and costs on small projects, a validation will be conducted to confirm that the applicant has applied accurate scopes of work and eligibility and costs guidelines. The validation process begins when Project Worksheets are submitted to the federal and state PACs. They will review each worksheet to ensure the scope of work is complete and that all special considerations have been identified. They will then request that a FEMA/state Validation Specialist conduct an on-site validation. This specialist will visit the site(s) to confirm that the damage descriptions are accurate and complete; review the project file to confirm that all elements in the scope of work are eligible; and review all actual costs records for accuracy. FEMA and state officials will normally validate only 20 percent of an applicant's small projects, barring significant discrepancies.

9. Handling Large Projects

A large project is eligible work costing \$54,100 or more. Applicants do not need to complete PW's for large projects. They begin the process at the Kickoff Meeting by submitting a list of potential large projects to the federal and state PACs. Then, a FEMA/State Project Officer (PO) will be assigned, and it will be his/her responsibility to prepare a detailed PW for each project. The applicant is responsible for submitting supporting backup documentation as requested. The PO assigned to work on each large project will identify and evaluate all the work activities associated with that project and will be able to call upon other specialists, as needed, to assist. Once FEMA approves the Project Formulation, the federal share of funds is obligated to the state. The applicant may request funds from the state periodically to meet expenses. When the project is complete, the state determines the final cost of completing the work, often performing inspections and audits to do so. The state then submits a report on the completed project to FEMA. FEMA may then adjust (obligate/deobligate) the amount of the grant to reflect the actual cost of the work.

10. Special Considerations/Hazard Mitigation

All project grant application amounts must be reduced for insured property by the amount of insurance proceeds received or anticipated from a review of the insurance policy. Grant application amounts will also be reduced for an amount of insurance proceeds which would have been paid to the applicant, had the property been insured, in cases where insurance was readily available. Under the PA Program, hazard mitigation measures must be a part of the repair of an existing damaged facility for all permanent work projects (Categories C through G). Historical preservation and environmental issues may also merit special consideration.

11. Closeout

The purpose of the Closeout is to certify that all recovery work is complete and all eligible costs have been reimbursed. Emergency work projects (Categories A and B) must be completed within 6 months and permanent work projects (Categories C through G) must be completed within 18 months of the date of declaration. This applies to both large and small projects. Small projects are closed as a group. The applicant must certify that all funds were expended and that all work as described in the scope of work is complete. A funding reconciliation must be requested if there is a significant cost overrun. Large projects are closed individually as each project is completed. There may be a state closeout review on site. Project documentation is very important and will be required during the closeout process. Failure to properly document all costs associated with a project may result in loss of funding for any claimed work. There will be a cost reconciliation on each individual large project when the project is complete.

F. Flood Insurance.

One very important element for receiving PA is the requirement concerning flood insurance. The Stafford Act requires that all applicants for PA must have flood insurance. This requirement also applies to insurable flood damaged facilities located outside a special flood plain or hazard area when it is reasonably available, adequate, and necessary. Current eligible costs will be reduced by the maximum amount of proceeds the applicant could have received had the facility been covered by flood insurance. Also, applicants will be required to commit to maintaining insurance coverage for the total eligible amount as a precondition for receiving PA.

No assistance for any facility will be available in future disasters, unless the required insurance has been obtained and maintained.

G. Funding Options

Applicants can use the following funding options if they feel it will benefit their situation. They are designed to give the applicant a greater degree of flexibility. Both options can be used under large or small project grants, and are voluntary.

1. Improved Projects

When the applicant decides to exceed the original design and value of a damaged facility, structural or cosmetic; or upgrade areas not damaged directly as the result of the disaster event instead of simply restoring it to its pre-disaster condition, the “improved project” option is available, but must be pre-approved. This option will include any necessary changes needed to comply with current federally regulated building and zoning requirements. The applicant will be responsible for all funding that exceeds the approved estimate of eligible cost to complete the scope of work. The state is authorized to make a determination on an applicant’s request to conduct an improved project. However, such a request must be coordinated with FEMA to ensure compliance with national historical and environmental laws. This request should contain:

- a. The reason for requesting an improved project.
- b. A description of the proposed work.
- c. A schedule of work.
- d. A cost estimate.
- e. Information adequate to establish compliance with special requirements, including, but not limited to, floodplain management, environmental assessment, hazard mitigation, protection of wetlands, endangered species, and insurance.

Improved project requests must be submitted to FEMA prior to starting the improved portion of the proposed work. If approved, funding will be limited to the federal share of the approved Project Worksheet amount. If disapproved, the applicant will be notified in writing why the request was denied and advised of their right to appeal the state’s determination.

2. Alternate Projects

If a community determines that repairing, restoring, reconstructing, or replacing a damaged facility would not best serve the public interest, an “alternate project” may be requested. Under the “alternate project” option, the community may use any federal share funds, limited to the approved federal estimate to complete the eligible scope of work, on other public facilities, or for funding hazard mitigation activities. Funds necessary for completing the alternate project that exceed the federal match would come from local sources. The state will review the request for eligibility and will ensure that the request contains the following information before forwarding it to FEMA with the appropriate recommendation.

- a. The reason for requesting an alternate project.
- b. A description of the proposed work.
- c. A schedule of work.
- d. A cost estimate.

Necessary assurances to document compliance with special requirements, including, but not limited to, floodplain management, environmental assessment, hazard mitigation, protection of wetlands, consideration of endangered species, and insurance.

Requests for alternate projects should be submitted to FEMA prior to starting the proposed work. If the request is approved by FEMA, funding of an alternate project will be reduced to 75 percent of the federal share of the approved Project Worksheet estimate.

Figure 8-2:

FOUR TYPES OF PROJECTS

There are four types of Public Assistance projects, each with different funding restrictions:

- 1 Small Project**
A small project is any project with a cost estimate less than the current threshold for large/small projects. Funding is based on the approved estimate in the Project Worksheet. Small projects are managed and reported on as a group by each applicant.
- 2 Large Project**
A large project is any project with a cost estimate greater than the current threshold for large/small projects.* Funding is based on actual costs and may be adjusted based on the required final inspection. A federal/state/local team manages each large project separately.

* - The federal fiscal year 2004 threshold is:
54,100
- 3 Improved Project**
Any project (large or small) where the applicant chooses to make improvements to the facility while making repairs. Example: To replace a destroyed one-lane bridge with a two-lane bridge. Funding would be limited to the costs associated with building a one-lane bridge.
- 4 Alternate Project**
Any permanent restoration project (large or small) where the applicant chooses to abandon the facility rather than rebuild and to use the funds which would have been available for an alternate project. FEMA must approve all alternate projects.

The state will ensure that approved work is completed within the following time frames:

1. Emergency Work – 6 months. (Categories A and B)
2. Permanent Work – 18 months. (Categories C through G)

I. Time Extensions

An applicant may request a time extension on any approved PW by submitting a written request to the state. Such a request should be submitted prior to the completion date currently in effect. The state may grant a time extension if the reason for delay is based on extenuating circumstances beyond the applicant's control or due to unusual project requirements so long as the additional time requested does not exceed the following time frames: Emergency Work – 6 months and Permanent Work – 18 months. The state will notify FEMA of all time extensions that have been approved. Requests for time extensions beyond the state's authority will be forwarded with the state's recommendation to FEMA for determination. Work performed after the last approved completion deadline is subject to having funding reduced or withdrawn.

J. Project Completion

1. Upon completion of a large project, the applicant will be required to submit a project cost summary to the state that lists all labor, equipment, materials, and contract costs associated with making needed repairs. The state will conduct a review of the project's documentation to verify the actual project cost. If a large project was 100 percent complete at the time the PW was prepared, the eligible cost was based on actual cost information and the applicant is not claiming additional funding, no further review by the state will be necessary.
2. Upon completion of all approved work, the applicant will be required to submit the Project Completion and Certification Report to the state certifying that all work has been completed in accordance with funding approvals and that all claims have been paid in full.
3. If an approved project is not completed, the applicant will be required to return the federal and state funding that was provided for that project. If an approved PW is totally or partially deobligated, the applicant will be notified as soon as possible. Reimbursement to the state will be requested once a supplemental PW deobligating the approved funding is processed.

K. Cost Overruns

The state will verify all significant cost overrun appeals submitted by the applicant (on small projects) by conducting a review of all approved small Project Worksheets within the applicant's project application. The state will base its recommendation for additional funding on the information obtained during the review and will forward a report to FEMA for final determination.

L. Disputes/Conflict Resolution

In order to expedite funding and minimize applicant appeals, the following conflict resolution process should be followed:

1. If a state PAC has been assigned, the applicant should notify this individual of the unresolved issue.
2. The state PAC should work to resolve the issue with the FEMA PAC. If the issue remains unresolved, the State Public Assistance Coordinator (PAC) should notify the State PAO.
3. The state PAO should work to resolve the issue with the FEMA PAO. If the issue remains unresolved, the State PAO should notify the GAR/SCO.
4. The GAR/SCO should work to resolve the issue with the Federal Coordinating Officer (FCO).

Only after all these steps have been taken will the applicant be referred to the appeal process.

- M. The initial cost for additional administrative support personnel will be incurred by the state. A claim for reimbursement will be submitted to FEMA in accordance with the management and administrative cost provisions of 44 CFR, 206.228.

N. Appeals

Upon receipt of an appeal form from the applicant, the state will review the material submitted, make such additional investigations as necessary, and forward the appeal with a written recommendation to FEMA within 60 days. The applicant within the following time frames must submit an appeal:

1. Any FEMA/state determination – 60 days from the date of written notice of the determination being appealed.
2. Cost overrun – 60 days from the date the last project was completed (small projects only).
3. Second/Final Appeal – 60 days from the date of written notice of the determination made on the first appeal.

O. Final Inspection

A final inspection will be conducted once the applicant certifies to the state that all funds were expended and that all work as described in the project scope of work is complete. Based on the type of work involved, the state reviewer may be authorized to conduct the final inspection at the time the project is being reviewed. For those projects of a technical nature, a qualified member of the applicable State agency to which the project pertains will conduct a final inspection. The final inspection should be completed as soon as practical following the final report from the applicant.

P. Audit Requirement

Audit requirements will be in accordance with 44 CFR, Part 14 or OMB Circular A-110 as appropriate.

1. A review of all large projects and small projects with significant cost overruns will be conducted by the state once those projects are completed. Applicants expending \$300,000 or more in total federal financial assistance in a fiscal year will be required to have an audit made in accordance with the Single Audit Act Amendments of 1996, OMB Circular A-133.
2. Applicants will be required to provide their assigned State agency a copy of the Single Audit.

Q. Records and Reports

1. Progress Reports – The state PAO maintains a database that reflects the current status of all projects to include those that have been closed out. This information is made available to FEMA Region III quarterly or as requested thereby satisfying the progress report requirement.
2. Project Closeout – Each project application will be closed out once it is determined that all work has been completed, all payments have been made, and all necessary documents have been received and no further action is pending or anticipated. The state then submits a report on the completed project to FEMA certifying that all of the applicant's costs were incurred in the completion of eligible work. After reviewing the state's report, FEMA may adjust (obligate/deobligate) the amount of the grant to reflect the actual cost of the work.
3. Financial Status Report (FEMA 20-10) – Quarterly and final financial reports will be submitted to FEMA for state-administered disaster assistance programs authorized by the Stafford Act.
4. Project Documentation – The applicant will be required to keep complete records of all work (i.e., receipts, checks, job orders, contracts, insurance coverage and insurance payments, equipment usage documentation, and payroll information) used to support funding under the PA for three years from the date the last project was completed or from the date final payment was received, whichever is later.

Figure 8-3

<p style="text-align: center;">DOCUMENTATION</p> <p>The importance of maintaining a complete and accurate set of records for each project cannot be overemphasized. Accurate documentation will help the applicant to:</p> <ul style="list-style-type: none">• Recover all eligible costs• Have the information necessary to develop disaster projects• Have the information available for federal and state inspectors to see when they validate small projects• Be ready for any federal or state audits or other program reviews <p style="text-align: center;">Project File Checklist</p> <p>All of the following records may not be applicable to every project, but everything that does pertain to a project should be filed with the corresponding Project Worksheet.</p> <table border="0"><tr><td>• Project Worksheet</td><td>• Estimated and actual costs</td></tr><tr><td>• Damage description and scope of work</td><td>• Completed special considerations 9 questions form</td></tr><tr><td>• Force account labor</td><td>• Force account equipment</td></tr><tr><td>• Materials and purchases</td><td>• Rented equipment</td></tr><tr><td>• Insurance information</td><td>• Photos of damage, work underway, work completed</td></tr></table>	• Project Worksheet	• Estimated and actual costs	• Damage description and scope of work	• Completed special considerations 9 questions form	• Force account labor	• Force account equipment	• Materials and purchases	• Rented equipment	• Insurance information	• Photos of damage, work underway, work completed
• Project Worksheet	• Estimated and actual costs									
• Damage description and scope of work	• Completed special considerations 9 questions form									
• Force account labor	• Force account equipment									
• Materials and purchases	• Rented equipment									
• Insurance information	• Photos of damage, work underway, work completed									

R. Development and Maintenance – The PAO will revise/update the PA Administrative Plan annually and immediately following a Presidentially-declared disaster to conform to existing changes in guidance. Changes will be made and the plan will be republished to meet current policy guidelines, as required. Revisions will be forwarded to the Regional Director, Federal Emergency Management Agency, Region III, Liberty Square Building (Second Floor), 105 South Seventh Street, Philadelphia, Pennsylvania, 19106.

S. Identification/Notification of Potential Applicants

1. VDEM PA will canvass state agencies to determine damage to state-owned facilities or property. State agencies will be advised to contact the PAO.

2. VDEM PA will notify local governments based on designated areas as identified in the FEMA-State Agreement to determine damage to facilities or properties owned by them or their political subdivisions. Local governments will be expected to notify towns to ascertain their damage.
 3. Local governments will be requested to identify and contact potential private PNP applicants in their jurisdiction. VDEM will provide assistance to local officials to identify PNPs that may be eligible for assistance. Supporting documentation to justify status will be covered in the applicants briefing. PNP's can include local volunteer fire departments.
 4. State and federal officials will brief the press and other media in a separate session before scheduled applicants briefings.
- T. VDEM and FEMA will conduct joint applicants briefings for potential public assistance applicants (see Tab A).
1. The magnitude of damage, size of jurisdictions/PNPs, number of jurisdictions declared, accessibility to the area, and logistics will determine the number of briefings conducted. An attempt will be made to arrange briefings so that potential applicants will not have more than a one-hour commute to attend.
 2. VDEM (PA) will notify potential applicants by telephone, where possible. In some cases, PA staff may use newspapers and websites to attempt to contact potential applicants. . Field Services Section should assist whenever possible.
 3. Local governments will be requested by VDEM PA or Field Services Section to provide a facility in which to conduct the briefings. These may be in schools, administrative buildings, courthouses, libraries, etc.
 4. The PAO (or Deputy PAO) and the FEMA PAO will conduct the briefings.
- U. Applicant Eligibility
1. The GAR/SCO will assist the RD in determining the eligibility of applicants.
 2. See discussion beginning on page 8 – 2 for requirements for eligible applicants.
 3. See discussion beginning on page 8 – 2 for eligibility requirements for PNPs.
 4. For the purpose of determining whether or not a PNP facility provides critical services of a governmental nature, the following specific examples of identical services that are provided by legal political subdivisions of the state follow.
 5. Examples of critical PNP Facilities are:
 - a. Educational - Classrooms and related supplies, equipment, and utilities necessary for instructional, administrative, and support purposes.

- b. Utility - Buildings, structures, or systems of energy, communication, water supply, sewage collection and treatment.
 - c. Emergency - Buildings, equipment, or systems used to provide emergency services such as fire protection, ambulance or rescue service to the general public, including administrative and support facilities, even if not contiguous.
 - d. Medical - Any hospital, out-patient facility, rehabilitation facility, or facility for long-term care as defined in the Public Health Service Act and any similar facility offering diagnosis or treatment of mental or physical injury or disease, including the administrative and support facilities essential to the operation of such medical facility even if not contiguous.
 - e. Custodial Care - Buildings, structures, or systems, including those for essential administration and support, which are used to provide institutional care for persons who require close supervision and some physical constraints on their daily activities for their self-protection, but do not require day-to-day medical care.
 - f. Other Essential Governmental Services - These are services that are generally provided by state or local governments and which would probably be provided in the disaster area by government if such service were not already being provided by a private, nonprofit organization. Examples include museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops, and those facilities whose primary purpose is the provision of health and safety services. Health and safety services examples include low-income housing, alcohol and drug rehabilitation, programs for battered spouses, transportation to medical facilities, and food programs. Ineligible organizations include recreational services, job counseling or job training, advocacy groups not directly providing health services, conference facilities, performing arts, parking garages, cemeteries, day care (other than senior citizen) centers, property owner associations (roads, recreational facilities), and other groups not providing health or safety services.
6. Examples of "public facilities" include any flood control, navigation, irrigation, reclamation, public power, sewage treatment and collection, water supply and distribution, watershed development, airport facility; any nonfederal aid street, road, or highway; and any other public building, structure, or system, including those used for educational, recreational, or cultural purposes, or any park.
7. Effective October 1, 2001, the law requires owners of certain non-critical private nonprofit (PNP) facilities to apply for a loan from the Small Business Administration (SBA) for permanent work (Categories C through G). If they are declined for a loan or the loan does not cover all eligible damages, they may apply to FEMA for the remainder of the damages. This provision only pertains to permanent work, not emergency work (categories A & B). If non-critical PNP's had both emergency and permanent work, they must apply for both.

Critical facilities - power, water, sewer and wastewater treatment, communications, emergency medical care and fire protection/emergency.

NOTE: If individual assistance is not granted in a Presidential declaration, then all-PNP's will be treated as being declined for a loan.

V. Program Management

1. Documentation

- a. PA payments are reimbursement for approved disaster-related expenditures. Each applicant must maintain full documentation in order to receive maximum payment. The GAR/SCO will require a review of documentation before final payments are made.
- b. Documentation of claimed costs is required for each damage survey report. This documentation consists of copies of:
 - (1) Summaries of documentation.
 - (2) Daily activity reports for labor, equipment and materials.
 - (3) Time sheets showing pay period, employee name, job classification, hours worked each day by Project Worksheet, total hours worked for the pay period, rate of pay (regular and overtime), total earnings, and paycheck number.
 - (4) Canceled checks (for materials purchased and for contract work).
 - (5) Delivery tickets for materials.
 - (6) Contract awarded.
 - (7) Invoices or other billing documents.
 - (8) Bid advertisements.
 - (9) List of bidders and amounts (for each project).
 - (10) Statement of why the low bid was not accepted (if appropriate).
 - (11) Copies of insurance policies and any insurance payments received.
 - (12) Monitoring of load tickets for debris removal/disposal.

2. Progress Reports

- a. Each applicant is required to provide a quarterly report to the GAR/SCO. The report indicates the status of all approved projects and should provide the following information for each project.
 - (1) Percent complete.
 - (2) Financial status (monies approved, advances, changes in project costs).
 - (3) Projected date of submission of claim.
 - (4) Date of latest interim inspection.

- (5) Anticipated delays/problems.
- b. The first progress report due date will be as specified by the GAR/SCO.
- 3. Interim and Final Inspections
 - a. The GAR/SCO may request FEMA assistance for interim and final inspections.
 - b. These inspections will:
 - (1) Resolve questions regarding work eligibility, cost overruns, time limits, and advances of funds.
 - (2) Obtain information to support recommendations for final payment amounts.
 - c. Initial inspections may be required by the GAR/SCO when the first progress report is submitted.
 - d. Subsequent inspections will be scheduled quarterly by applicant. The quarterly report will be used to identify completed projects for final inspection.
 - e. All large projects require a final inspection.
 - f. Random inspections of small projects will be made.
 - g. Applicants must submit documentation on all work for which reimbursement is requested before final inspections will be scheduled.
 - h. The GAR/SCO reviews interim and final inspection reports and appeals determinations, if appropriate.
- 4. Time Limits for Completing Work
 - a. Deadlines for project completion shown below are set from the disaster declaration date and apply to all projects approved under the state disaster assistance grant.

Debris clearance (Category A).....	6 months
Emergency Work (Category B)	6 months
Permanent work (Categories C-G).....	18 months
 - b. The GAR/SCO may impose earlier deadlines for the completion of work, if appropriate.
 - c. The GAR/SCO may extend these deadlines based on extenuating circumstances or unusual project requirements beyond the applicant's control. These circumstances may include:
 - (1) The need for special items.
 - (2) An inability to get a good first bid.

- (3) Unfavorable weather conditions.
 - (4) Equipment breakdowns.
- d. In such cases, the GAR/SCO may approve extensions of:
 - Debris clearance (Category A)..... 6 months
 - Emergency work (Category B) 6 months
 - Permanent work (Categories C through G)..... 30 months
- e. The RD may approve additional extensions if requested in writing by the GAR/SCO.

5. Time Extensions

- a. When work cannot be completed within specified time limits, the applicant may request a time extension for each project affected.
- b. Blanket requests for a time extension for all permanent work will not be approved.
- c. The applicant must specifically identify in writing those projects that cannot be completed on time and must justify the delay to the GAR/SCO. Normally, delays should be due to circumstances beyond the control of the applicant. The applicant must specify dates by which work can reasonably be expected to be completed.
- d. The GAR/SCO may approve time extensions to the limits established for the projects, but not to exceed those allowed in paragraph D.4. Notice of approval will be in writing. A copy of time extension approval letters will be sent to FEMA.
- e. Requests for time extensions beyond the GAR/SCO's authority will be submitted by the GAR/SCO to FEMA when the GAR/SCO determines that the justification is adequate. The GAR/SCO's written request will include the following:
 - (1) The dates and provisions of all previous time extensions on the project.
 - (2) A detailed justification for the delay and a projected completion date.
 - (3) A recommendation by the GAR/SCO.

If the request is not approved, the GAR/SCO will inform the applicant in writing of the decision, state reasons for disapproval, and outline the appeal procedures. Costs incurred beyond the approved completion date will not be eligible for reimbursement.

6. Cost Overruns

- a. Cost overruns that occur during the execution of approved work should be brought to the attention of the GAR/SCO as soon as they are detected. Normally overruns fall into the following categories:
 - (1) Variations in unit prices.

- (2) Change in the scope of eligible work.
- (3) Delays in timely starts or completion of eligible work.

- b. In such cases, the applicant may request approval of additional costs. To do so, the applicant must provide adequate justification (invoices, daily activity reports, progress reports, etc.) for the GAR/SCO's consideration.
- c. The GAR/SCO will evaluate each cost overrun request and, when justified, submit a request and a recommendation to the RD for a final determination.
- d. All requests for the RD's approval must contain documentation needed to support the eligibility of all claimed work and costs. The RD will provide written notice to the GAR/SCO after a determination has been made.
- e. The GAR/SCO will forward the RD's determination to the applicant with a recommendation for further action, if appropriate.

7. FEMA Quarterly Report

- a. The GAR/SCO will submit a quarterly progress report to the RD, based on applicant reports. The report will describe the status of all projects for which final payment has not been made. The GAR/SCO and RD will negotiate the due date for the first report.
- b. The GAR/SCO and FEMA review quarterly reports to identify projects that require special attention or inspection.

8. Insurance Requirements

a. General

Sections 311 and 406(d) of the Stafford Act and the Flood Disaster Protection Act of 1973 (Public Law 93-234) establish insurance requirements as a condition for approving certain disaster assistance under the Act. Subpart I, 44 CFR 206 implements Public Law 93-234 as it pertains to Public Assistance authorized under Section 406 of the Stafford Act, as follows:

- (1) Actual or anticipated insurance recoveries will be deducted from eligible costs, in accordance with Section 206.253(b).
- (2) The maximum amount of flood insurance recovery that could have been obtained for a building and its contents within the special flood hazard area shall be subtracted from eligible costs, in accordance with Section 206.253(h).
- (3) An insurance requirement should not be interpreted as a substitute for hazard mitigation techniques that may be available to reduce the incidence and severity of future damage.

b. Applicability

- (1) These requirements apply to assistance provided under Section 406 of the Act with any major disaster declared after November 23, 1988, unless excluded under Section 206.252.
 - (2) Prior to approval of a federal grant for the restoration of a facility and contents, the GAR/PSCO notifies the RD of any entitlement to insurance settlement or recovery. The RD reduces eligible costs by the actual amount of insurance proceeds, with the exception of flood insurance, the reduction for which is described in Section 206.253(b)(2).
 - (3) If insurance recovery is contingent on the amount of reimbursement under the Act, reimbursement will be limited to eligible costs determined by the RD after deducting the maximum amount recoverable under and to the limit of the insurance policy(s).
 - (4) The RD may not approve assistance unless the GAR/PSCO has provided acceptable assurances that the applicant will, as a minimum, obtain and maintain flood insurance for the approved estimate of damages to the facility and contents.
 - (a) The GAR/SCO completes an Insurance Commitment Form and submits it to the applicant's agent for signature. This form indicates the applicant's intent to obtain and maintain required insurance.
 - (b) The signed form is filed in the applicant's PA folder.
 - (c) The applicant must provide a copy of the insurance policy to the GAR/SCO (for large project) before final payment will be made.
 - (d) GAR/SCO reviews the policy to verify that adequate coverage has been obtained. A copy of the policy is retained in the applicant's PA file.
 - (5) No assistance under Section 406 of the Act will be provided for any facility for which assistance was previously received unless insurance was obtained and maintained as required under Section 311 of the Act.
 - (6) Insurance requirements apply to PNP facilities that receive assistance under Section 406 of the Act. Private nonprofit organizations submit required documentation and assurances through the GAR/SCO.
 - (7) Because Virginia is not self-insured, provisions pertaining to self-insurance do not apply.
- c. Additional Flood Insurance Requirements
- (1) The RD requires flood insurance for flood disasters when it is reasonably available, adequate, and necessary under Section 311 of the Act, even though a flood-damaged building may be located outside the base floodplain.
 - (2) If a building damaged by flooding is located in a special flood hazard area identified for more than one year by the Director and the building and its contents are not fully covered by flood insurance, assistance under Section 406 will be reduced.

- (a) The amount of reduction will be the value of the building immediately prior to the damage, or the maximum amount of the insurance proceeds which would have been received if the building and contents had been covered by standard flood insurance, whichever is less.
 - (b) The reduction will not apply to a private nonprofit facility that could not be insured because it was located in a community not participating in the National Flood Insurance Program (NFIP). However, such a facility will be required to obtain and maintain the necessary flood insurance should the host community join the NFIP.
 - (c) NOTE: Federal assistance is prohibited in special flood hazard areas of nonparticipating communities. If the community in which the private nonprofit facility is located is not participating in the NFIP, disaster assistance is not available.
 - (d) The effective date of this provision is May 22, 1989.
- (3) FEMA will not approve financial assistance for acquisition or construction in a special flood hazard area unless the community is participating in the NFIP at the time of the approval.
 - (a) This prohibition applies only to communities that have been formally identified for at least one year and one or more areas with special flood hazards.
 - (b) A facility may become eligible for financial assistance, subject to the reduction under Section 206.253(b)(2), if the community qualifies for and enters the NFIP within six months of a major disaster declaration.
- d. Type, Extent, and Duration of Insurance
 - (1) Assurances to obtain reasonably available, adequate, and necessary insurance will be required only for the type(s) of hazard for which the major disaster was declared. The RD shall not require greater types and extent of insurance than are certified as reasonable by the State Insurance Commissioner.
 - (2) The RD makes a determination as to the type and extent of insurance that is reasonable when he is unable to obtain a certification by the State Insurance Commissioner following a written request.
 - (3) The GAR/SCO provides assurance that the required insurance coverage will be maintained for the anticipated life of the restorative work or of the insured facility, whichever is less.
 - (4) The GAR/SCO fulfills this requirement by obtaining necessary insurance commitment forms executed by the applicant's insurance? Agent.

9. Computer Use

- a. The GAR/SCO and PAO will require computer equipment and software to assist in program management. Hardware and software equipment must be compatible with FEMA systems, especially the National Emergency Management Information System (NEMIS). This equipment will be used to:
 - (1) Send and receive correspondence.
 - (2) Prepare training materials.
 - (3) Access and track data.
 - (4) Prepare reports.
- b. Hardware and software equipment will be cost-shared at 75 percent federal/ 25 percent state.
- c. Computer equipment and software that have been purchased, as a result of a major disaster declaration will be used in the Public Assistance Program until all program activities have ceased. These items may then be used in other program areas until the next disaster occurs involving the Public Assistance Program.

W. Financial Management

The VDEM Administrative Services Office handles all disaster funds (see Appendix 10).

X. Appeals

1. A subgrantee may appeal any determination previously made related to federal assistance for a subgrantee, including a time extension determination made by the grantee. The subgrantee's appeal must be made in writing and submitted to the grantee within 60 days after receipt of the notice of the action being appealed. The appeal must contain documented justification supporting the subgrantee's position.
2. The grantee will review, evaluate, and forward the appeal with a written recommendation to the RD within 60 days of receipt. For those areas within the jurisdiction of the grantee, the grantee will make the determination and notify the subgrantee of the disposition in writing within 90 days of receipt of the appeal.
3. Within 90 days of receipt of an appeal, the RD will notify the grantee in writing of disposition of the appeal or of the need for additional information. If additional information is required, the RD will notify the grantee in writing of disposition within 90 days of receipt of such information.
4. If the RD denies the appeal, the subgrantee may submit a second appeal to the Associate Director of FEMA. Such appeal must be made in writing, submitted through the grantee and the RD, and submitted not later than 60 days after receipt of the notice of the RD's denial of the first appeal.

5. The Associate Director (AD) and the Director will complete review and disposition of appeals according to the same time frame prescribed for the Regional Director's review above. In appeals involving highly technical issues, the AD may seek independent scientific or technical recommendations from persons or groups with particularly appropriate expertise. The AD will render a ruling within 90 days of receipt of such outside reports.

Y. Grant Closeout and Adjustment

1. FEMA will initiate closeout procedures when it determines that all applicable administrative and payment actions have been completed.
2. The GAR/SCO concurs in writing that no further claims for the disaster will be made and that all program activity has been closed.
3. The closing of the grant does not preclude FEMA or the state from disallowing costs and recovering overpayments on the basis of a later audit or review.
4. Any overpayment to the grantee or to a subgrantee shall constitute a debt to the awarding agency. A bill for collection, an administrative offset against other fund requests, or other action permitted by law may be employed to reduce the debt.

Z. Retention of and Access to Records

The grantee and subgrantees shall retain all related records and documents for three years from the last official transaction or until audit questions are resolved, whichever is longer. FEMA, the Comptroller General of the United States, the Commonwealth of Virginia, or any of their authorized representatives shall have the right to access any records pertinent to the grant/subgrant for as long as the records are retained.

V. AUTHORITIES AND REFERENCES

- A. Public Law 93-288, as amended by Public Law 100-707.
- B. FEMA Regulation, 44 CFR Part 206.
- C. FEMA Regulation, 44 CFR Part 13.
- D. FEMA Regulation, 44 CFR Part 14.
- E. Executive Order 11988, Floodplain Management.
- F. Executive Order 11990, Protection of Wetlands.
- G. Executive Order 12612, Federalism.
- H. Coastal Barrier Resources Act, Public Law 97-348.
- I. Commonwealth of Virginia Emergency Services and Disaster Law of 2000, As Amended.
- J. Commonwealth of Virginia Emergency Operations Plan, Volume 1: Basic Plan.

- K. State Coordinating Officer Toolkit, December 1996.
- L. Public Assistance Applicant Handbook, FEMA (October 1998)
- M. Public Assistance Program Applicant Workshop Student Manual, FEMA (August 1998)
- N. Virginia House Joint Resolution #54, 1983

DEFINITIONS

Applicant – A state agency, local government, or eligible private nonprofit organization, which receives an award and is accountable to the Grantee under the State's Public Assistance grant.

Educational Institution –

- A. Any elementary school, as defined by Section 801(c) of the Elementary and Secondary Education Act of 1965.
- B. Any secondary school, as defined by Section 801(h) of the Elementary and Secondary Education Act of 1965.
- C. Any institution of higher education, as defined by Section 1201 of the Higher Education Act of 1965.

Emergency Work – That work which must be done immediately to save lives and to protect improved property and public health and safety, or to avert or lessen the threat of a major disaster.

Facility – Any publicly- or privately owned building, works, system, or equipment, built or manufactured, or an improved and maintained natural feature. Land used for agricultural purposes is not a facility.

Federal Coordinating Officer (FCO) – The person appointed by the President or the Director of FEMA to coordinate federal assistance for a specific major disaster declaration.

FEMA-State Agreement – A formal legal document stating the understandings, commitments, and binding conditions for assistance applicable as the result of a major disaster or emergency declared by the President.

Federal Emergency Management Agency (FEMA) – The Federal agency responsible for coordinating disaster recovery efforts. The term used in this plan when referring to the Regional Director, or the Disaster Recovery Manager, of FEMA Region III.

Force Account – An applicant's own labor forces and equipment.

Grant – An award of financial assistance. The grant award shall be based on the total eligible federal share of all approved projects.

Grantee – The government to which a grant is awarded and which is accountable for use of the funds provided. The grantee is the entire legal entity even if only a particular component of the entity is

designed in the grant award document. For purposes of this plan, the Commonwealth of Virginia is the grantee.

Hazard Mitigation – Any cost-effective measure that will reduce the potential for damage to a facility from a disaster event. Any cost-efficient measure that will reduce the potential for damage to a facility from a disaster event.

Immediate Needs Funding (INF) – An advance of grant funds to assist applicants in paying for immediate needs that may require payment in the first 30 to 60 days after a disaster strikes. Such needs will be identified during the Preliminary Damage Assessment.

Immediate Threat – The threat of additional damage or destruction from an event that can reasonably be expected to occur within one year.

Improved Property – A structure, facility, or item of equipment, which was built, constructed, or manufactured. Land used for agricultural purposes is not improved property.

Major disaster – Any natural catastrophe, including any hurricane, tornado, storm, flood, high-water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, which, in the determination of the President of the United States is, or thereafter determined to be, of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act (P.L. 93-288 as amended by P. L. 100-707) to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship or suffering caused thereby and is so declared by the President.

National Flood Insurance Policy (NFIP) – The federal program to identify flood-prone areas nationwide and make flood insurance available to those owners and renters of property.

Permanent Work – That restorative work that must be performed through repairs or replacement to restore an eligible facility on the basis of its pre-disaster design and current applicable standards.

Pre-Disaster Design – The size and capacity of a facility as originally designed and constructed or subsequently modified by changes or additions to the original design. It does not mean the capacity at which the facility was being used at the time the major disaster occurred if different from the designed capacity.

Preliminary Damage Assessment – The on-site assessment by federal/state/local officials in each affected area to determine the impact and magnitude of damage caused by the disaster and resulting unmet needs of the public sector and the community as a whole. The identification of “immediate needs” may result in emergency work being funded immediately upon declaration.

Private Nonprofit Facility – Any private nonprofit educational, utility, emergency, medical, or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental-type services to the general public, and such facilities on Indian reservations. Further definition is as follows:

- A. Educational Facilities – Classrooms plus related supplies, equipment, machinery, and utilities of an educational institution necessary or appropriate for instructional, administrative, and support purposes, but does not include buildings, structures, and related items used primarily for religious purposes or instruction.

- B. Utility – Buildings, structures, or systems of energy, communication, water supply, sewage collection and treatment, or other similar public service facilities.
- C. Emergency Facility – Those buildings, structures, equipment, or systems used to provide emergency services such as fire protection, ambulance, or rescue, to the general public, including the administrative and support facilities essential to the operation of such emergency facilities even if not contiguous.
- D. Medical Facility – Any hospital, outpatient facility, rehabilitation facility, or facility for long-term care as such terms are defined in Section 645 of the Public Health Service Act (42 USC 2910) and any similar facility offering diagnosis or treatment of mental or physical injury or disease, including the administrative and support facilities essential to the operation of such medical facilities, even if not contiguous.
- E. Custodial Care Facility – Those buildings, structures, or systems, including those for essential administration and support, which are used to provide institutional care for persons who require close supervision and some physical constraints on their daily activities for their self-protection, but do not require day-to-day medical care.
- F. Other Essential Government Services Facilities – Facilities such as museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops, and facilities which provide health and safety services of a governmental nature. All such facilities must be open to the general public.

Private Nonprofit Organization – Any nongovernmental agency or entity that currently has:

- A. An effective ruling letter from the U.S. Internal Revenue Service granting tax exemption under Section 501(c), (d), or (e) of the Internal Revenue Code of 1954, or
- B. Satisfactory evidence from the state that the nonrevenue-producing organization or entity is a nonprofit one organized and doing business under state law.

Project (also referred to as "Individual Project") – All work performed at a single site.

Project Worksheet – Form used to record eligible work and prepare a quantitative estimate.

Public Entity – An organization formed for a public purpose whose direction and funding are provided by one or more political subdivisions of the state.

Public Facility – The following facilities owned by a state or local government: any flood control, navigation, irrigation, reclamation, public power, sewage treatment and collection, water supply and distribution, watershed development, or airport facility; any nonfederal-aid street, road, or highway; any other public building, structure or system, including those used for educational, recreational, or cultural purposes, or any park.

Special Considerations – Issues that involve insurance, hazard mitigation, historic preservation, and environmental reviews as they relate to Public Assistance Program funding.

Standards – Codes, specifications, or standards for the construction of facilities, to include legal requirements for additional features. Such standards may be different for new construction and repair work.

Subgrant – An award of financial assistance under a grant by the Grantee to an eligible Sub grantee. The Sub grant is a cost-share award providing 75 percent of the estimated costs of a hazard mitigation project from federal sources. The state, the local government, the Subgrantee, or other source may provide the 25 percent nonfederal share.

Subgrantee – The government or other legal entity to which a Sub grant is awarded and which is accountable to the Grantee for the use of the funds provided. Sub grantees can be a state agency, a local unit of government, a private nonprofit organization that provides essential government services, or Indian tribe as outlined in Section 206.433 of Section 404 Federal Regulations.

Appendix 8, Tab A

FEMA-STATE AGREEMENT
Provisions of the Public Assistance Program

FEMA and the Commonwealth of Virginia mutually agree to implement the Public Assistance Program on disaster FEMA- _____. The objectives of the program are to provide better service to our customers by obligating 50 percent of emergency work funding within 30 days of declaration, obligating 80 percent of permanent work funding within 180 days of declaration, and closing the disaster within two years. Customer Satisfaction Surveys will be administered by FEMA, to assist FEMA and its state partners in assessing and adjusting the program delivery system to better serve our customers.

- A. FEMA may obligate up to 50 percent of the federal share of an applicant's emergency work funding within 30 days of declaration, based on information collected during the preliminary damage assessment when requested by the state. This funding is referred to as Immediate Needs Funding and is intended to meet the applicant's funding requirements for the first 60 days.
- B. FEMA and the Commonwealth of Virginia will schedule Kickoff Meetings with each applicant to discuss program content and procedures. The FEMA Public Assistance Coordinators (PACs) will manage the applicants' request for assistance. The state may elect not to participate in all Kickoff Meetings.
- C. Applicants may choose to prepare scopes of work and cost estimates for small projects, subject to 20 percent validation by FEMA or the state.
- D. FEMA will provide training on program eligibility to those applicants that want to prepare their own scopes of work and cost estimates. FEMA will provide technical assistance to applicants who do not want to develop their own small projects.
- E. FEMA and the state will identify special consideration issues early in the process and work with the applicant to resolve them.
- F. Both parties will encourage the use of the Cost Estimating Format for developing cost estimates for large projects.
- G. Applicants may combine "sites" into a single project, if desirable from a contracting or documentation standpoint.
- H. FEMA and the state will encourage the resolution of all issues in the field with the applicant.
- I. The PAC or Public Assistance Officer will provide financial review as required.

Appendix 8, Tab B
STATE EMERGENCY MANAGEMENT
APPLICANT'S BRIEFING OUTLINE
FEMA _____DR

A. GENERAL

- Sign-in Sheet
- Applicant Packet

B. INTRODUCTION

- Fact Sheet
- Disaster Field Office
- Authority – PL 93-288, as amended
- Introduction to Public Assistance
- Eligible Applicants

C. REQUEST FOR PUBLIC ASSISTANCE

D. DESIGNATION OF THE APPLICANT'S AGENT

E. PROJECT WORKSHEET (PW) PREPARATION

- Cost Estimating Process/Role of the FEMA Public Assistance Coordinator
- Project Worksheet (FEMA Form _____)
- Categories of eligible work
- FEMA Schedule of equipment rates
- Special Considerations (Insurance, Mitigation, Environmental, Historical issues)

F. PROJECT APPLICATION

- Request for Public Assistance
- Assurances Construction Programs (SF 424D)
- Certification Regarding Restrictions on Lobbying
- Package Pick-up Checklist/State Contract with Subgrantees
- Obligation Report
- Project Worksheets
- Project Completion and Certification Report

G. PROJECT FUNDING

- Federal share/Local share
- Immediate Needs Funding
- Large Projects
- Small Projects
- Administrative Allowance

H. PERFORMING APPROVED WORK

- Parameters (Scope of Work, Completion date, Cost estimate)
- Force Account Work
- Contract Work
- Bidding Requirement
- Engineering and Design Services
- Debarred Contractors
- Requests for Improved Projects
- Request for Alternate Projects

I. TIME LIMITATIONS

- Emergency work
- Permanent work
- Extensions

J. PROJECT COMPLETION

- Project Completion and Certification Report
- Project Cost Summary
- Project Review
- Final Inspection
- Quarterly Progress Reports (Large Projects)
- Insurance Requirements

K. APPEALS

- Any FEMA determination
- Cost overrun (on small DSRs)

L. STATE REQUIREMENTS

M. QUESTIONS/ANSWERS

FEDERAL EMERGENCY MANAGEMENT AGENCY
REQUEST FOR PUBLIC ASSISTANCEO.M.B. No. 3067-0151
Expires April 30, 2001

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this form is estimated to average 10 minutes. The burden estimate includes the time for reviewing instructions, searching existing data sources, gathering and maintaining the needed data, and completing and submitting the forms. You are not required to respond to this collection of information unless a valid OMB control number is displayed in the upper right corner of the forms. Send comments regarding the accuracy of the burden estimate and any suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0151). NOTE: Do not send your completed form to this address.

APPLICANT (Political subdivision or eligible applicant.)

DATE SUBMITTED

COUNTY (Location of Damages. If located in multiple counties, please indicate.)

APPLICANT PHYSICAL LOCATION

STREET ADDRESS

CITY

COUNTY

STATE

ZIP CODE

MAILING ADDRESS (If different from Physical Location)

STREET ADDRESS

POST OFFICE BOX

CITY

STATE

ZIP CODE

Primary Contact/Applicant's Authorized Agent

Alternate Contact

NAME

NAME

TITLE

TITLE

BUSINESS PHONE

BUSINESS PHONE

FAX NUMBER

FAX NUMBER

HOME PHONE (Optional)

HOME PHONE (Optional)

CELL PHONE

CELL PHONE

E-MAIL ADDRESS

E-MAIL ADDRESS

PAGER & PIN NUMBER

PAGER & PIN NUMBER

Did you participate in the Federal/State Preliminary Damage Assessment (PDA)?

☐ Yes ☐ NoPrivate Non-Profit Organization? ☐ Yes ☐ No

If yes, which of the facilities below best describe your organization?

Title 44 CFR, part 206.221(e) defines an eligible private non-profit facility as: "... any private non-profit educational, utility, emergency, medical or custodial care facility, including a facility for the aged or disabled, and other facility providing essential governmental type services to the general public, and such facilities on Indian reservations." "Other essential governmental service facility" means museums, zoos, community centers, libraries, homeless shelters, senior citizen centers, rehabilitation facilities, shelter workshops and facilities which provide health and safety services of a governmental nature. All such facilities must be open to the general public.

Private Non-Profit Organizations must attach copies of their Tax Exemption Certificate and Organization Charter or By-Laws. If your organization is a school or educational facility, please attach information on accreditation or certification.

Official Use Only: FEMA-

-DR-

FIPS #

Date Received:

Appendix 8, Tab D
STATE EMERGENCY MANAGEMENT APPLICANT CHECKLIST
FEMA _____ DR

1. Additional damage must be reported within 60 days from _____.
 2. All work must be done prior to the approved project completion deadline assigned to each PW. Should additional time be required to complete the approved work, a time extension request will need to be submitted prior to the existing completion date which (1) identifies the PW(s) requiring an extension, (2) explains the reason for needing an extension, (3) indicates the percentage of work that has been completed and (4) provides an anticipated completion date. The reason for needing an extension must be based on extenuating circumstances or unusual project requirements that are beyond the control of your jurisdiction/organization. Failure to submit a time extension request may result in the reduction or withdrawal of federal funds for the work that was approved.
 3. Any significant change to a PW's approved scope of work must be reported to this office.
 4. The Project completion and Certification Report must be returned to this office once all the approved work has been completed. If any PW required the purchase of insurance as a condition of receiving federal funds, a copy of the current policy must be attached to this report.
 5. A cost overrun on small PWs (estimated to be less than \$50,600) must be reported to this office within 60 days of completing the last small PW in order to be considered for additional funding.
 6. Appeals may be filed on any determination made by FEMA or the state. All appeals must be submitted to this office within 60 days from receiving written notice of the action you wish to appeal. Should you wish to appeal a determination contained in the project application, the 60 days will start the day the application is signed.
 7. Suspended PWs will not receive any funding until all of the requirements identified in the comment section of the PWs are met.
 8. You may request an advance on large PWs (\$50,600 or over) by completing the "Advance of Funds" letter.
 9. Large PWs that have not received final payment will be reviewed quarterly by the state.
 10. Applicants with large PWs must submit a project cost summary to this office following the completion of each project. The project cost summary must list all labor, equipment, materials and contract costs associated with making needed repairs.
 11. Applicants expending \$300,000 or more in total federal financial assistance in a fiscal year will be required to have an audit made in accordance with the Single Audit Act Amendments of 1996, OMB A-133. A copy of the Single Audit must be submitted to your state agency or this office within applicable reporting time frames. Consult with your financial officer regarding this requirement.
 12. Complete records and cost documents for all approved work must be maintained for at least three years from the date the last project was completed or from the date final payment was received, whichever is later. During this time, all approved PWs are subject to state and federal audit/review.
-

Signature/Date (State)

Signature/Date Applicant

Appendix 8, Tab E

**DESIGNATION OF APPLICANT'S AGENT
RESOLUTION**

BE IT RESOLVED BY _____ OF _____
(Governing Body) (Public Entity)

THAT _____, _____
*(Name of Incumbent) (Official Position)

OR

_____, Governor's Authorized Representative

is hereby authorized to execute for and in behalf _____

_____, a public entity established under the laws of the state of _____
this application and to file it in the appropriate state office for the purpose of obtaining certain federal
financial assistance under the Disaster Relief Act (Public Law 288, 93rd Congress) or otherwise available
from the President's Disaster Relief Fund.

THAT _____, a public entity established under the laws of the Commonwealth
of Virginia hereby authorizes its agent to provide to the state and to the Federal Emergency Management
Agency (FEMA) for all matters pertaining to such federal disaster assistance the assurances and
agreements printed on the reverse side hereof.

Passed and approved this _____ day of _____, 19 ____.

(Name and Title)

(Name and Title)

(Name and Title)

CERTIFICATION

I, _____, duly appointed and _____ of _____
(Title)

_____, do hereby certify that the above is a true and

correct copy of a resolution passed and approved by the _____ of _____
(Governing Body) (Public Entity)

on the _____ day of _____, 19 ____.

Date: _____

(Official Position)

(Signature)

**Name of incumbent need not be provided in those cases where the governing body of the public entity
desires to authorize any incumbent of the designated official position to represent it.*

Appendix 8, Tab E-2
APPLICANT ASSURANCES

The applicant hereby assures and certifies that he will comply with the FEMA regulations, policies, guidelines, and requirements including OMB's Circulars No. A-95 and A-102, and FMC 74-4, as they relate to the application, acceptance and use of Federal funds for this Federally-assisted project. Also, the Applicant gives assurance and certifies with respect to and as a condition for the grant that:

1. It possesses legal authority to apply for the grant and to finance and construct the proposed facilities; that a resolution, motion or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application and to provide such additional information as may be required.
2. It will comply with the provisions of Executive Order 11988, relating to Floodplain Management and Executive Order 11990, relating to Protection of Wetlands.
3. It will have sufficient funds available to meet the non-Federal share of the cost for construction projects. Sufficient funds will be available when construction is completed to assure effective operation and maintenance of the facility for the purpose constructed.
4. It will not enter into a construction contract(s) for the project or undertake other activities until the conditions of the grant program(s) have been met.
5. It will provide and maintain competent and adequate architectural engineering supervision and inspection at the construction site to insure that the completed work conforms with the approved plans and specifications; that it will furnish progress reports and such other information as the Federal grantor agency may need.
6. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State and local agencies for the maintenance and operation of such facilities.
7. It will give the grantor agency and Comptroller General, through any authorized representative, access to and the right to examine all records books, papers, or documents related to the grant.
8. It will require the facility to be designed to comply with the "American Standard Specifications for Making Buildings and Facilities Accessible to, and Usable by the Physically Handicapped," Number A117.1-1961, as modified (41 CFR 101-17-7031). The applicant will be responsible for conducting inspections to insure compliance with these specifications by the contractor.
9. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and will see that work on the project will be prosecuted to completion with reasonable diligence.
10. It will not dispose of or encumber its title or other interests in the site and facilities during the period of Federal interest or while the Government holds bonds, whichever is the longer.
11. It agrees to comply with Section 311, PL 93-288 and with Title VI of the Civil Rights Act of 1964 (PL 83-352) and in accordance with Title VI of the Act, no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure is provided or improved with the aid of Federal financial as-

- assistance extended to the Applicant, this assurance shall obligate the Applicant, or in the case of any transfer of such property, any transferee, for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits.
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business, or other ties.
 13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (PL 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally assisted programs.
 14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with OMB Circular A-102, PL 93-288 as amended, and applicable Federal Regulations.
 15. It will comply with the provisions of the Hatch Act which limit the political activities of employees. It will comply with the minimum wage and maximum hours provisions of the Federal Fair Labor Standards Act, as they apply to hospital and educational institutional employees of State and local governments
 16. (To the best of his knowledge and belief) the disaster relief work described on each Federal Emergency Management Agency (FEMA) Project Application for which Federal Financial assistance is requested is eligible in accordance with the criteria contained in 44 Code of Federal Regulations, Part 205, and applicable FEMA Handbooks.
 17. The emergency or disaster relief work therein described for which Federal Assistance is requested hereunder does not or will not duplicate benefits received for the same loss from another source.
 18. It will (1) provide without cost to the United States all lands, easements and rights-of-way necessary for accomplishments of the approved work; (2) hold and save the United States free from damages due to the approved work or Federal funding
 19. This assurance is given in consideration of and for the purposes of obtaining any and all Federal grants, loans, reimbursements, advances, contracts, property, discounts of other Federal financial assistance extended after the date hereof to the Applicant by FEMA, that such Federal financial assistance will be extended in reliance on the representations and agreements made in this assurance and that the United States shall have the right to seek judicial enforcement of this assurance. This assurance is binding on the applicant, its successors, transferees, and assignees, and the person or persons whose signatures appear on the reverse as authorized to sign this assurance on behalf of the applicant.
 20. It will comply with the flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973, PL 93-234, 87 Stat. 975, approved December 31, 1973. Section 102(a) requires, on and after March 2, 1975, the purchase of flood insurance in communities where such insurance is available as a condition for the receipt of any Federal financial assistance for construction or acquisition purposes for use in any area that has been identified by the Director, Federal Emergency Management Agency as an area having special flood hazards. The phrase "Federal financial assistance" includes any form of loan, grant, guaranty, insurance payment, rebate, subsidy, disaster assistance loan or grant, or any other form of direct or indirect Federal assistance.
 21. It will comply with the insurance requirements of Section 314, PL 93-288, to obtain and maintain any other insurance as may be reasonable, adequate, and necessary to protect against further loss to any property which was re

22. placed, restore, repaired, or constructed with this assistance.
23. It will defer funding of any projects involving flexible funding until FEMA makes a favorable environmental clearance, if this is required.
24. It will assist the Federal grantor agency in its compliance with Section 106 of the National Historic Preservation Act of 1966, as amended, (16 U.S.C. 470), Executive Order 11593, and the Archeological and Historic Preservation Act of 1966 (16 U.S.C. 469a-1 et seq.) by (a) consulting with the State Historic Preservation Officer on the conduct of investigations, as necessary, to identify properties listed in or eligible for inclusion in the National Register of Historic places that are subject to adverse effects (see 36 CFR Part 800.8) by the activity, and notifying the Federal grantor agency of the existence of any such properties, and by (b) complying with all requirements established by the Federal grantor agency to avoid or mitigate adverse effects upon such properties.
25. It will, for any repairs or construction financed herewith, comply with applicable standard of safety, decency and sanitation and in conformity with applicable codes, specifications and standard; and, will evaluate the natural hazards in areas in which the proceeds of the grant or loan are to be used and take appropriate action to mitigate such hazard, including safe land use and construction practices.

STATE ASSURANCES

The state agrees to take any necessary action within State capabilities to require compliance with these assurances and agreements by the applicant or to assume responsibility to the Federal government for any deficiencies not resolved to the satisfaction of the Regional Director.

Appendix 8, Tab F
Special Considerations Questions

1.	Does the damaged facility or item of work have insurance coverage and/or is it an insurance risk (e.g. buildings, equipment, vehicles, etc.)? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unsure Comments:
2.	Is the damaged facility located within a floodplain or coastal high hazard area and/or does it have an impact on a floodplain or wetland? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unsure Comments:
3.	Is the damaged facility or item of work located within or adjacent to a Coastal Barrier Resource System Unit or an Otherwise Protected Area? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unsure Comments:
4.	Will the proposed facility repairs/reconstruction change the pre-disaster condition (e.g., footprint, material, location, capacity, use, or function)? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unsure Comments:
5.	Does the applicant have a hazard mitigation proposal or would the applicant like technical assistance for a hazard mitigation proposal? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unsure Comments:
6.	Is the damaged facility on the National Register of Historic Places or the state historic listing? Is it older than 50 years? Are there more, similar buildings near the site? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unsure Comments:
7.	Are there any pristine or undisturbed areas on, or near, the project site? Are there large tracts of forest land? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unsure Comments:
8.	Are there any hazardous materials at or adjacent to the damaged facility and/or item of work? <input type="radio"/> Yes <input type="radio"/> No <input type="radio"/> Unsure Comments:

Appendix 8, Tab G

Federal Emergency Management Agency Project Worksheet				
Declaration No.	Project No.	FIPS No.	Date	Category
Applicant			County/City	
Damaged facility:		Work complete as of: : %		
Location of project:		Latitude:	Longitude:	
Damage description and dimensions:				
Scope of work:				
Does the Scope of Work change the pre-disaster conditions at the site?			<input type="radio"/> Yes	<input type="radio"/> No
Special considerations issues included?			<input type="radio"/> Yes	<input type="radio"/> No
Hazard Mitigation proposal included?			<input type="radio"/> Yes	<input type="radio"/> No
Is there insurance coverage on this facility?			<input type="radio"/> Yes	<input type="radio"/> No

Project Cost					
Item	Code	Narrative	Quantity/Unit	Unit Price	Cost
Total Cost					
Submitted by:					

Appendix 8, Tab G-2
FEDERAL EMERGENCY MANAGEMENT AGENCY
**PROJECT WORKSHEET
INSTRUCTIONS**

The Project worksheet must be completed for each identified damaged project. Projects with estimated or actual cost of damage greater than \$47,800 are large projects. Projects with estimated or actual cost of damage of less than \$47,800 are small projects. After completing all Project Worksheets, submit the worksheets to your Public Assistance Coordinator.

Identifying Information

Declaration No: Indicate the disaster declaration number as established by FEMA (i.e., “FEMA 1136-DR-TN”, etc.)

Project No: Indicate the project designation number you established to track the project in your system (i.e. 1, 2, 3, etc.)

FIPS No.: Indicate your FIPS number on this space. This is optional.

Date: Indicate the date the worksheet was prepared in MM/DD/YY format.

Category: Indicate the category of the project according to FEMA specified work categories. This is optional

Applicant: Name of the governmental or other legal entity to which the funds will be awarded.

County/City: Name of the county or city where the damage is located. If located in multiple counties or cities indicate “Multi-County/Multi-City”.

Damage facility: Identify the facility and describe its basic function.

Work Complete as of: Indicate the date the work was appraised in the format of MM/DD/YY and the percentage of work completed to that date.

Location: This item can range anywhere from an “address,” “intersection of...1 mile south of...on...” to “county or city-wide.” If damages are in different location of different counties/cities please list each location. Include latitude and longitude of the project, if known.

Damage Description and Dimensions: Describe the disaster-related damage to the facility, including the cause of the damage and the area of components affected.

Scope of Work: List work that has been completed, and work to be completed, which is necessary to repair disaster-related damage. Include items recorded on the preliminary damage assessment.

Does the Scope of Work change the pre-disaster conditions of the site: If the work described under Scope of Work changes the site conditions (i.e. increases/decreases the size or function of the facility or does not replace damaged components in kind with like materials, check (3) y

Yes. If the Scope of Work returns the site to its pre-disaster configuration, capacity and dimensions check (3) No.

Special Considerations: If the project includes insurable work, and/or is affected by environmental (NEPA) or historic concerns, check (3) the Yes or No box so that appropriate action can be initiated to avoid delays in funding. Refer to *Applicant Guidelines* for further information.

Hazard Mitigation: If the pre-disaster conditions at the site can be changed to prevent the disaster-related damage check (3) Yes. If no opportunities for hazard mitigation exist check (3) No. Appropriate action will be initiated and avoid delays in funding. Refer to *Applicant Guidelines* for further information.

Is there insurance coverage on this facility: Federal law requires that FEMA be notified of any entitlement for proceeds to repair disaster-related damages, from insurance or any other source. Check (3) Yes if any funding or proceeds can be received for the work within the Scope of Work from any source besides FEMA.

Project Cost

Item: Indicate the item number on the column (i.e. 1, 2, 3, etc.). Use additional forms as necessary to include all items.

Code: If using the FEMA cost codes, place the appropriate number here.

Narrative: Indicate the work, material or service that best describes the work (i.e. “force account labor overtime”, “42” RCP pipe”, “sheet rock replacement”, etc.).

Quantity/Unit: List the amount of units and the unit of measure (“48/cy”, “32lf”, “6/ea”, etc.).

Unit Price: Indicate the price per unit.

Cost: This item can be developed from cost to date, contracts, bids, applicant’s experience in that particular repair work, books which lend themselves to work estimates, such as RS Means, or by using cost codes supplied by FEMA.

Total Cost: Record total cost of the project.

Prepared By: Record the name and the title of the person completing the Project Worksheet.

Record Requirements

Please review the *Applicant Guidelines* for detailed instructions and examples.

For all completed work, the applicant must keep the following records:

- Force account labor documentation sheets identifying the employee, hours worked, date and location;
- Force account equipment documentation sheets identifying specific equipment, operator, usage by hours/mile and cost used;
- Material documentation sheets identifying the type of material, quantity used and cost;
- Copies of all contracts for work and any lease/rental equipment costs.

For all estimated work, keep calculations, quantity estimates, pricing information, etc. as part of the record to document the “cost/estimate” for which funding is being requested.

ADVANCE OF FUNDS REQUEST

Subject: FEMA _____DR; Advance of Funds for Project Worksheet(s)
(\$_____ and over)

PW Number	PW Amount	Amount Expended (*)
Totals		

I understand that any part of this advance that is not supported by cost documents and/or expended within the scope of the PW will be refunded to this office within 30 days of receiving the deobligation notice.

Signature of Applicant's Agent	Printed Name of Applicant's Agent	Date
Name of Jurisdiction	Applicant's Agent's Telephone Number	
Mailing Address (Number & Street, City, State, Zip Code)		

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Comptroller's Payee Identification Number

For State Use Only		
Amount	Approved By	Date

Appendix 8, Tab I
Validation Worksheet

DISASTER: FEMA- _____ DR- _____ VALIDATOR _____	
NAME: _____	
APPLICANT NAME: _____	
AGENCY: _____	
PAID NUMBER: _____	
TELEPHONE: _____	
PROJECT NUMBER: _____	
Validation Item	Remarks
General—ALL PROJECTS <input type="checkbox"/> Review project <input type="checkbox"/> Visit site <input type="checkbox"/> Statement of work <input type="checkbox"/> Accurate <input type="checkbox"/> Complete <input type="checkbox"/> Eligible <input type="checkbox"/> Photographs <input type="checkbox"/> Sketches/drawings	
Special Considerations <input type="checkbox"/> Insurance <input type="checkbox"/> Mitigation <input type="checkbox"/> Environmental <input type="checkbox"/> Historic	
Completed Work <input type="checkbox"/> Force Account Labor <input type="checkbox"/> Eligible employee <input type="checkbox"/> Hours <input type="checkbox"/> Regular <input type="checkbox"/> Overtime <input type="checkbox"/> Calculations	
Force Account Equipment <input type="checkbox"/> Labor hours exceed or match equipment hours <input type="checkbox"/> Volunteer labor <input type="checkbox"/> Prison labor <input type="checkbox"/> FEMA rates used <input type="checkbox"/> Public Assistance Coordinator approved rates used	

<input type="checkbox"/> Mileage used for automobiles, buses, pickups, and ambulances <input type="checkbox"/> Calculations	
Leased/Rental Equipment <input type="checkbox"/> Invoice <input type="checkbox"/> Price reasonable <input type="checkbox"/> Operator/labor costs <input type="checkbox"/> Gasoline/oil lubricants <input type="checkbox"/> Eligible repairs/parts <input type="checkbox"/> Calculations	

Validation Worksheet – continued

DISASTER: FEMA- _____ DR- _____ VALIDATOR _____	
NAME: _____	
APPLICANT NAME: _____	
AGENCY: _____	
PAID NUMBER: _____	
TELEPHONE: _____	
PROJECT NUMBER: _____	
Validation Item	Remarks
Materials <input type="checkbox"/> Purchase orders/invoices <input type="checkbox"/> Inventory records/stock tickets <input type="checkbox"/> Calculations	
Contract <input type="checkbox"/> Price reasonable <input type="checkbox"/> Competitive bids <input type="checkbox"/> Exception <input type="checkbox"/> Follow procurement procedures <input type="checkbox"/> Calculations	
Work to be completed <input type="checkbox"/> Cost estimating method <input type="checkbox"/> Calculations	
Additional Remarks	

Appendix 8, Tab J

FIRE MANAGEMENT ASSISTANCE GRANT PROGRAM

NOTE: This is not a stand-alone plan. You must be familiar with Appendix 8 of the State Plan.

PURPOSE

Subsequent to a disaster declaration by the President, FEMA provides assistance to state agencies, local governments and certain private nonprofit organizations for fire management. A grant is made to the state that then authorizes subgrants to eligible applicants. Funding is provided on a cost-share basis, with percentages established in the FEMA-State Agreement, but requiring a federal share of no less than 75 percent. The purpose of this appendix is to identify the roles and responsibilities of the state in administering the Fire Suppression Assistance Programs and to outline staffing requirements and the policies and procedures to be used.

ORGANIZATION

The Governor is the Director of Emergency Management for the Commonwealth of Virginia as established by statute. The Virginia Department of Emergency Management (VDEM) is similarly established as the state agency responsible for the management and administration of disaster relief for Virginia. Its director, the State Coordinator of Emergency Management, is appointed by the Governor. During a Presidentially-declared Major Disaster, the Governor's Authorized Representative (GAR), normally the State Coordinator, will be designated by the Governor as the official responsible for administration of the Fire Management Program. The GAR, through the Public Assistance Officer, will be responsible for providing technical guidance and assistance to subgrantees during the recovery period and throughout the duration of each disaster contract. The guidance, assistance, and program management provided shall be sufficient to ensure grantee and subgrantee compliance with the FEMA-State Agreement and grant conditions pertaining to a declared disaster. The Public Assistance Officer (PAO) is responsible directly to the GAR for implementation of the program.

As with other federal disaster assistance programs, it is Virginia's policy to provide a state official to work in partnership with his counterpart federal official in most programmatic and subprogrammatic areas, especially where local activities are involved. The state's Public Assistance organization will, therefore, mirror the federal one. Adjustments will be made by the GAR as needed, for each disaster.

A. Agencies and Task Assignments

1. Primary Agency – Virginia Department of Emergency Management (VDEM)

Designate a Public Assistance Officer to administer and supervise the program. The PAO will be responsible for the following:

- a) Notify potential applicants of the availability of the Program.
- b) Assist FEMA in determining applicant eligibility.
- c) Submit and review subgrant applications.
- d) Process payments for subgrantees.
- e) Submit, review and accept subgrant Performance and Financial Reports.
- f) Monitor close outs and audit functions of subgrants; recover funds for disallowed costs.
- g) Process appeals and time extension requests.
- h) Provide technical assistance to applicants.

2. Support Agencies:

The following state agencies, when requested by VDEM, will designate personnel to be prepared to assist the Governor's Authorized Representative/State Coordinating Officer as needed to administer the Fire Management Program. The GAR/SCO may also use reservists, temporary hires, and/or contractors to perform these duties.

- a) Department of Forestry
- b) Department of Transportation
- c) Department of Conservation and Recreation
- d) Department of Health
- e) Department of Agriculture and Consumer Services
- f) Department of Environmental Quality
- g) Department of Aviation
- h) Auditor of Public Accounts

B. Key Staff Positions

- 1. Governor's Authorized Representative (GAR) – The person designated by the Governor to execute all necessary documents for disaster assistance programs on behalf of the state and local grant recipients. The GAR is responsible for State compliance with the FEMA-State Agreement. Normally, the GAR will also be designated as the State Coordinating Officer.
- 2. State Coordinating Officer (SCO) – The person designated by the Governor to coordinate state and local disaster assistance efforts with that of the Federal Government. Normally, the SCO will also be designated as the Governor's Authorized Representative.
- 3. Deputy State Coordinating Officer (DSCO) – The person (normally a VDEM employee) designated by the GAR/SCO to assist in program-related matters, supervise the state's part of DFO operations, coordinate state public information activities, determine staffing and budgeting requirements necessary for program management, provide state support for program activities as needed, maintain accountability for federal disaster assistance funds, and request direct federal assistance as needed.
- 4. State Public Assistance Officer (PAO) – The person (VDEM employee) responsible for administering the Fire Management program.

C. Applicants Eligibility

1. State and Local Governments **are** eligible.
2. Indian Tribal Governments **are** eligible.
3. Private Non-Profit Organizations such as Local Volunteer Fire Departments **are not** eligible subgrantees. Their reimbursement will be provided through a contract or compact with an eligible government applicant.

D. Appeal Process

Upon receipt of a denial of the Fire Management Assistance declaration, the Governor or GAR may appeal the decision in writing within thirty (30) days after the date of the letter denying the request. The State should submit this one-time request to the Associate Director through the Regional Director. The Associate Director will notify the State of his/her determination within 90 days of receipt of the appeal. The Associate Director may also grant a 30-day extension to the State to submit their request. Appeal of other fire management issues remain the same as the process in the Public Assistance Plan.

E. Declaration Process:

Declarations operate on a 24-hour real-time basis and are frequently conducted over the telephone and with written follow-up. The declaration process is as follows:

1. Virginia Department of Forestry (VDF) notifies VDEM of fire situation and requests aid under the Grant Program;
2. VDEM assembles data from VDF and develops report for FEMA and the Governor (VDEM makes initial telephone call to FEMA);
3. Governor submits State request for a fire management assistance declaration to the Regional Director while the fire is burning uncontrolled;
4. Regional Director gathers State's information, calls upon the Principal Advisor for an assessment, and develops a Regional summary and recommendation to be forwarded to the Assistant Director, or designee;
5. Assistant Director, or designee, approves or denies State's request based on the following:
 - a) The conditions that existed at the time of State's request;
 - b) Whether or not the fire or fire complex threatens such destruction as would constitute a major disaster.
6. The final rule provides four criteria for the Assistant Director, or designee, to evaluate the threat posed by a fire or fire complex:
 - a) Threat to lives and improved property, including threats to critical facilities/infrastructure, and critical watershed areas;

- b) Availability of State and local firefighting resources;
- c) High fire danger conditions, as indicated by nationally accepted indices such as the National Fire Danger Ratings System;
- d) Potential major economic impact.

- 7. After rendering a determination, the Assistant Director, or designee, notifies the Regional Director, who in turn notifies the State.

F. Fire Cost Threshold:

- 1. Before an initial grant award to the State is approved under a FMAGP declaration, the State's grant application (SF 424) must demonstrate that total eligible costs for the declared fire meet or exceed either the individual fire cost threshold, which is applied to each and every fire, or the cumulative fire cost threshold, which recognizes numerous smaller fires burning throughout a State.
 - a) The individual fire cost threshold for a State is the greater of:
 - \$100,000, or
 - Five percent x \$1.07 x the State population
 - b) The cumulative fire cost threshold for a State is the greater of the following:
 - \$500,000; or
 - Three times the five percent x \$1.07 x the State population
- 2. Under the cumulative fire cost threshold, assistance will only be provided for the declared fire responsible for meeting or exceeding the cumulative fire cost threshold and any future declared fires for that calendar year.
- 3. The \$1.07 per capita impact indicator in the cost threshold formula is adjusted annually for inflation using the Consumer Price Index.

G. Cost Share Under Grant Program:

Seventy-five percent Federal cost share to be applied to all fire management assistance grants.

H. Eligible Cost(s):

Eligible costs include:

- a) Costs for equipment and supplies (less insurance proceeds);
- b) Costs for emergency work (evacuations and sheltering, police barricading and traffic control);
- c) Costs for State emergency operations center (when used as a Unified Command Center);
- d) Costs for the pre-positioning of Federal, out-of-state, and international resources that have been utilized to fight a declared fire for up to 21 days (**must include a detailed explanation and approval by FEMA**);
- e) Cost of personal comfort and safety items for firefighter health and safety;
- f) Costs for field camps and meals in lieu of per diem;

- g) Costs for mobilization and demobilization costs;
- h) Costs for the temporary repair of damage caused by firefighting activities;
- i) Costs for the mitigation, management, and control of declared fires burning on co-mingled Federal land, when such costs are not reimbursable by another Federal agency.
- j) Costs for operation and maintenance of publically-owned, contracted or rented equipment used in eligible fire fighting activities.
- k) Costs for operation and maintenance of volunteer fire department equipment used under an established contract and have been requested by the Incident Commander.

Appendix 9:
HAZARD MITIGATION GRANT PROGRAM
Contact: Deborah Mills, VDEM, (804) 897-6500, ext. 6525

PURPOSE

This appendix establishes the procedures for administration of the Hazard Mitigation Grant Program (HMGP) and for project management of the mitigation measures to be funded under Section 404 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act of 1988 (the Act) as amended. It also establishes an independent grant program for hazard mitigation and is closely tied to the post-disaster hazard mitigation plan required by Section 409 of the Act as a condition of assistance. The Section 409 Plan is a critical component in the identification of mitigation measures and recommendations that could benefit from the grant program.

ORGANIZATION

- A. The Governor appoints a Governor's Authorized Representative who then employs a State Hazard Mitigation Officer (SHMO). The SHMO coordinates with the State Hazard Mitigation Committee to manage the Hazard Mitigation Grant Program (HMGP).
- B. The following state agencies will designate representatives on the State Hazard Mitigation Committee and participate in the State Hazard Mitigation Program. Other state agencies may be requested to provide a representative to the State Hazard Mitigation Committee should the risk assessment or a disaster impact on their area of responsibility.
 - 1. Department of Environmental Quality.
 - 2. Department of Agriculture and Consumer Services.
 - 3. Department of Transportation.
 - 4. Department of Health.
 - 5. Department of Conservation and Recreation (Floodplain Management Program).
 - 6. Department of Conservation and Recreation (State Parks Division).
 - 7. Department of Forestry.
 - 8. Department of Mines, Minerals and Energy.
 - 9. Department of Housing and Community Development.
 - 10. Department of Historic Resources.
 - 11. State Corporation Commission (Bureau of Insurance).
- C. In addition to the above agencies, the Attorney General's Office will provide a representative to the State Hazard Mitigation Committee to provide legal opinions and guidance when mitigation recommendations involve the development of local land use ordinances or requires the passage of state legislation.

CONCEPT OF OPERATIONS

- A. Prior to a disaster declaration, the State Hazard Mitigation Officer (SHMO) will participate in the disaster declaration process by coordinating the state hazard mitigation part of the federal/state

- Preliminary Damage Assessment (PDA) process. Other state agency and Virginia Department of Emergency Management (VDEM) reservist personnel will be trained to perform in-the-field PDA duties by the SHMO. (See Appendix 1.)
- B. Following a major disaster declaration by the President authorizing hazard mitigation assistance, a FEMA/State Agreement will outline the 75/25 cost-share provision of the Hazard Mitigation Grant Program. The agreement will further state that the nonfederal share may exceed the federal share and may be a combination of state, local, and private funding.
 - C. The State Coordinating Officer (SCO) will submit a Letter of Intent to the Regional Director (RD) indicating that the state intends to access funds under section 404 of the Stafford Act (HMGP). The letter of intent shall be transmitted within 60 days of the declaration. The Letter of Intent may not be required if the disaster declaration request to the President from the Governor includes a request for Hazard Mitigation.
 - D. The SHMO, in consultation with the SCO, representatives of other state agencies (see above) and the Deputy Federal Coordinating Officer - Mitigation (DFCOM), will develop a written mitigation strategy that identifies mitigation opportunities and establishes priorities for funding. The strategy document will receive the endorsement of the SCO and the Federal Coordinating Officer (FCO). This document, once endorsed, will be added as an update to the State Hazard Mitigation Plan.
 - E. The SHMO will continue administration of the Hazard Mitigation Grant Program after the Disaster Field Office closes. The number and size of projects under development will determine the staffing. Under certain circumstances such that a disaster event exceeds the capabilities of the State to implement any mitigation function, the State may, through FEMA, contract assistance.
 - F. Identification and Notification of Potential Applicants
 - 1. Identification
 - a. Eligible applicants anywhere in the State may apply for HMGP grants following a declaration of disaster. Applications are not limited to declared localities, although priority may be given to the declared localities depending on the nature and extent of the disaster.
 - b. Upon declaration of the disaster, the SHMO, in consultation with the DFCOM, will participate in the PDA process for early indications of possible hazard mitigation opportunities. The state/federal Hazard Mitigation staff may conduct hazard mitigation surveys immediately after a disaster is declared. The SHMO and DFCOM will coordinate with the state and FEMA Infrastructure Officers and the Human Services Officers in the initial assessments. They will also try to obtain a preliminary estimate of available program funds.
 - c. Based on the damage surveys and the goals and objectives set forth in the State Hazard Mitigation Plan, the SHMO will create an initial mitigation strategy report. The report will be written within 30 days of the declaration and will outline a strategy to identify and implement mitigation opportunities for the disaster-stricken

areas. This initial strategy will aid in determining the final disaster strategy in cases where the disaster requires more time to determine impact and needs.

- d. The SHMO will review and revise, if necessary, the existing State Hazard Mitigation (409) Plan for potential applications of Section 404 funding.
- e. The principle mechanism in identifying potential applications will be multi-agency hazard mitigation survey teams. The mechanism for establishing funding priorities will be the mitigation strategy.
- f. Potential applicants will continue to expand as recovery efforts progress and the Mitigation Strategy for the current disaster is developed.

2. Notification

- a. Based on the particulars of the disaster, a joint FEMA/VDEM press release describing the program may be developed and issued. It will include a point of contact for obtaining additional program details; and may include an announcement of Section 404 briefings to be held in the areas.
- b. The SHMO may also participate in briefings for applicants for the infrastructure program (406) and in training sessions for the inspectors in both the infrastructure (406) and human services program (408) programs. The purpose of these activities is to alert all disaster assistance personnel and potential assistance applicants to be aware of possible mitigation opportunities. This briefing is only to generate awareness of the program, not give a detailed overview.

3. Specific Mitigation Briefing

- a. The SHMO may also conduct specific mitigation briefings for potential applicants (local officials, citizens, or communities). The briefing will include:
 - 1. General overview of mitigation programs including mitigation opportunities under federal Disaster Assistance Sections 406 and 408.
 - 2. Specific information about 404 HMGP including:
 - a) Eligibility.
 - b) State mitigation priorities.
 - c) The application process.
 - d) The selection process.
 - e) Project management.
 - f) Technical assistance.

- g) Nature of funding.
 - h) Key deadlines.
 - 3. During the briefing, potential applicants will be given a “Pre-Application Package” consisting of the following:
 - a) HMGP regulations and guidelines, including eligibility criteria, types of projects, key deadlines, and a contract for additional information.
 - b) Pre-application form (HMGP).
 - c) State identified priorities.
 - d) Copy of the Post-Disaster Hazard Mitigation Planning Guidance for State and Local Governments.
 - e) Property Acquisition Handbook for Local Communities (as necessary)
 - b. The SHMO, or Community Relations staff at the direction of the SHMO, will notify potential applicants about the mitigation briefing(s) via direct contact and through the public media.

G. Pre-application Procedures

1. Potential applicants will have at least 15 days following the date of the HMGP specific briefing to notify the SHMO of their interest in applying for a grant and designate an individual as the “Subgrantee’s Authorized Representative” to administer the grant program at the local level. The deadline for notification of interest will be set by the SHMO and published at the briefing. The applicants shall submit a completed HMGP Pre-application form as notification. The time limitation may be extended by the SHMO when justified and requested in writing by the applicant.
2. Upon receipt of the above-mentioned forms, the SHMO, in coordination with the State Hazard Mitigation Committee, will perform an eligibility review and notify potential applicants via written correspondence of their eligibility status.
 - a. Those applicants whose pre-applications were deemed eligible will receive a letter of eligibility with the Application Form and other pertinent information enclosed.
 - b. Those applicants whose pre-applications were determined ineligible will be offered technical assistance/advice regarding how to achieve program eligibility.
 1. Technical assistance to potential applicants will be based on need and availability of personnel. If required technical assistance is not resident at the State level, such assistance will be requested from FEMA.
 2. Submission dates and response times will be included in all applicant notices, briefings and requests for additional information.

H. Application Procedures

1. The SHMO will have the primary responsibility for ensuring that all applications are properly completed. Each application must contain the following information.
 - a. Name of Subgrantee.
 - b. State or local contact for the project.
 - c. Location of the project.
 - d. Description of the project.
 - e. Estimated cost of the project.
 - f. Analysis of the projects cost effectiveness and substantive risk reduction, consistent with Section 206.434 of Federal 404 Regulations.
 - g. Work schedule and maintenance agreement.
 - h. Justification for selection.
 - i. Alternatives considered.
 - j. Environmental information consistent with SFR 9, Flood Management and Protection of Wetlands, and CFR 10, Environmental Considerations, and comply with Executive Order 12898, Environmental Justice.
 - k. Historic information consistent with local, state, and federal historic preservation guidelines.
 - l. Prioritization plan if necessary.
 - m. Disk including the electronic version of the completed HMGP application form.
 - n. All applicable maps of project locations.
 - o. Assurance of project maintenance.
 - p. Other pertinent information if necessary.
2. The date for submission of the above information shall be established by the SHMO. Applicants will in most cases have 60 days following receipt of the SHMO letter stating their eligibility. The SHMO may give extensions upon written request.
3. Upon receipt of a project application, the SHMO will assign a Project Identification Number (PIN) to each application. The PIN will consist of the FEMA disaster number, the Federal Identification Processing System (FIPS) Code, and a project number. The project numbers

will be assigned sequentially as project applicants are received. An example of PIN is: VA 1293-700-041.

4. The SHMO will consult with appropriate state agency representatives on the State Hazard Mitigation Committee to review each application for eligibility in accordance with applicable regulations of the HMGP. The SHMO is responsible for obtaining any additional information necessary to make the determination and for notifying applicants of ineligible projects or proposed project status.
5. In the event that several eligible projects are competing for limited funding, applications submitted to FEMA will be made in accordance with priorities established in the Mitigation Strategy.
6. The SHMO is responsible for preparing a complete application, signed by the GAR, which must include a Standard Form (SF) 424, Applications for Federal Assistance, and SF 424D, Assurances for Construction Programs if appropriate, and a narrative statement to support the package being transmitted to FEMA.
7. The application may be amended by the state to include measures identified subsequent to the initial application. All supplements identifying new mitigation measures to the application must be made within 90 days of FEMA approval of the Section 409 Mitigation Plan and must contain information as noted in H.1. above.
8. The SHMO will establish contact with all the Subgrantee's Authorized Representatives and provide technical assistance and project management overview to the Subgrantee's for the duration of the project. Technical expertise and guidance can be obtained through the SHMO, State Hazard Mitigation Committee, state staff, or the DFCOM.
9. Time limitations on applications may be extended by the RD when justified and requested in writing by the GAR.
10. The SHMO will notify the applicants and the DFCOM of funding requests.

I. Determining Eligibility

1. The following are eligible to apply for the Hazard Mitigation Program Grant:
 - a. A state or local government.
 - b. A private nonprofit organization that provides essential government services.
 - c. An Indian tribe or authorized tribal organization.
2. The SHMO will determine eligibility of the applicant and that minimum program requirements are met by ensuring that each application contains:
 - a. A reference to the specific section of the state Hazard Mitigation (Section 409) Plan to which the proposed project relates.

- b. A narrative describing how the project benefits the designated disaster area.
- c. A completed environmental and historic review as required by FEMA.
- d. Information sufficient to determine the extent to which the project will solve the problem it is intended to address and the status of any associated dependent or supporting projects.
 - 1. A brief history of previous occurrences of the problem the project addresses, including dates and impact of each occurrence, or an analysis of projected potential damages if the hazard is not addressed.
 - 2. Documentation comparing the proposed project and a listing of influencing factors.
 - 3. An estimate of the effective life of the project and a listing of influencing factors.
 - 4. An analysis of any pertinent demographic and physical changes to the area or facility to be protected by the project and description of any future maintenance or modifications the project may involve.
 - 5. A cost analysis to determine whether the benefits to be gained are at least equal, if not greater than, the cost of the project.

J. Project Selection

- 1. If it is necessary to select from a range of projects due to funding or other constraints, the SHMO, in consultation with the State Hazard Mitigation Committee using the State Hazard Mitigation Plan, will evaluate and prioritize all eligible applications. This ranking will be in accordance with the mitigation strategy established for the disaster and criteria in 44 CFR Sections 206.434(b) and 206.435(b) and (c) as follows:
 - a. Measures that best fit within an overall plan for development and/or hazard mitigation in the community, disaster area, or state.
 - b. Measures that, if not taken, will have a detrimental impact on the applicant, such as potential loss of life, loss of essential services, damage to critical facilities, or economic hardship on the community.
 - c. Measures that have the greatest potential impact on reducing future disaster losses.
 - d. Measures that are designed to accomplish multiple objectives, including damage reduction, environmental enhancement, and economic recovery.
- 2. The SHMO and State Hazard Mitigation Committee will take into consideration optimizing the total amount of funding available, including overmatching of federal funds with nonfederal funds, when developing this ranking.

3. The SHMO and State Hazard Mitigation Committee will also consider the level of interest and demonstrated degree of commitment of each applicant.

K. Project Management

1. The State, as the grantee, has primary responsibility for project management and accountability of funds as indicated in 44 CFR Part 13 and 206 and for ensuring that all program and administrative requirements are met.
2. The Sub grantee, under the guidance of the State as Grantee, is responsible for the management of the individual project grants in accordance with applicable federal, state, and local regulations.
 - a. The Sub grantee will designate an individual to serve as the “Sub grantee’s Authorized Representative.” This individual will be responsible for administering the individual project grants.
 - b. Procurement of contractors and other goods and services by the Sub grantee for the completion of approved projects will be in accordance with their own standard procurement procedures, provided they are in compliance with applicable federal law and the standards found in the “Common Rule.”
 - c. The Grantee and Sub grantee will retain all “Project” records and documents for a period of three years after the completion of the project.
 - d. Uniform audit requirements as set forth in 44 CFR Part 14 apply to all projects under the Hazard Mitigation Grant program. FEMA may elect to conduct a federal audit on projects funded under this program.
 - e. FEMA, the Comptroller General of the United States, and the Commonwealth of Virginia, or their authorized representatives shall have the right of access to any records relevant to the grant or sub grant for as long as the records are retained.
 - f. Sub grantees will submit progress reports to the SHMO on the status and completion date of their projects in sufficient time to allow the GAR to compile a quarterly progress report for FEMA. These reports will identify any problem areas that may result in noncompliance with the approved grant conditions to include known or anticipated cost overruns.
3. The GAR will submit a request, with recommendation, to the FEMA Regional Director (RD) for cost overruns exceeding 15 percent of the approved project cost. The RD will approve cost overruns under 15 percent as long as there are offsetting cost under runs on other projects within the same disaster. The RD will notify the GAR in writing the final determination and process a supplement, if necessary. In no case will the total amount obligated to the state in Section 404 Grants exceed the limits of 7.5 percent of the total Federal Grant Assistance (excluding any associated administrative costs) provided under Sections 403, 406, 407, 408, 410, 411, 416, and 701 of the Stafford Act.

4. The GAR shall submit certification to the RD of expenditures for each approved project upon its completion. With this submission, the GAR certifies that the reported costs were incurred in performance of eligible work, that the approved work was completed and that the project was completed in compliance with the provisions of the FEMA-State Agreement.
 - a. The Sub grantee will provide the GAR, through the SHMO, certification of the project completion in accordance with the specifications contained in the approved project application or project supplements.
 - b. The SHMO will perform a final inspection of the individual projects to be performed to insure the completion of the project is in accordance with the specifications contained in the approved project application.

L. Allowable Costs

1. General policies and guidelines for determining allowable costs are established in 44 CFR 13.22 and detailed in OMB Circulars A-21, A-87, and A-122. Cost guidelines not covered in these referenced OMB Circulars are set forth in 44 CFR Part 206, Subpart N, Section 206.439.
2. Allowable administrative expenses for Sub grantee and Grantee costs are covered by an allowance based on a percentage of total net eligible costs under Sections 403, 404, 406, 407, 502, and 503 of the Act. The application percentages may be found under Allowable Costs (Subpart N), Section 206.439(b)(1)(i) and (ii).
3. State management costs for personnel assigned to administer the Hazard Mitigation Grant program in the Disaster Field Office (DFO) may be eligible when approved by the RD. The staffing for the DFO and for the continuing management of the Hazard Mitigation grants must be submitted within five days of the opening of the DFO.
4. The salaries for continuing management of the Hazard Mitigation grants must be approved in advance by the RD. The state must submit a staffing plan in advance of the requirement.

M. Appeals

1. The grantee may appeal any determination made related to federal assistance. Appeals will be filed in accordance with 44 CFR 206, Subpart N – Hazard Mitigation Grant Program.
2. An applicant or sub grantee may file, with the grantee, an appeal of any determination previously made related to federal assistance for an applicant or sub grantee.
3. Appeals filed by applicants or sub grantees must be in writing and supported by sufficient documentation (new and compelling information) justification to allow the GAR to make a determination of validity and make a decision on the first appeal
4. After review by the SHMO and GAR, if the appeal appears valid, the letter will be processed and forwarded to FEMA for review and determination.
5. If the SHMO, GAR, or FEMA deny the appeal, the actions outlined above in paragraphs 2 and 3 above will apply to any second appeal. The second appeal should include new or

expanded information to support the need for a second appeal. The second appeal must be made within 60 days of the decision. The decision on the second appeal, whether made by the SHMO, GAR, or FEMA is final.

AUTHORITIES AND REFERENCES

A. Federal

1. Robert T. Stafford Disaster Relief and Emergency Assistance Act (Public Law 93-288, as amended, Sections 404 and 409).
2. Public Law 93-234, as amended, Flood Disaster Protection Act of 1983.
3. Single Audit Act Amendment of 1996.
4. FEMA Regulations, 44 CFR, Part 206, Subparts M and N.
5. FEMA Regulations, 44 CFR, Part 13, Uniform Administration Requirements for Grants and Cooperative Agreements to State and Local Governments.
6. FEMA Regulations, 44 CFR, Part 14, Administration of Grants: Audits of State and Local Governments.
7. Executive Order 11988, Floodplain Management.
8. Executive Order 11990, Protection of Wetlands.
9. Executive Order 12612, Federalism.
10. Executive Order 12699, Seismic Safety of Federal and Federally Assisted or Regulated New Building Construction.
11. Executive Order 12898, Environmental Justice.
12. Office of Management and Budget Memorandum, Nonstructural Flood Protection Measures and Flood Disaster Recovery, July 10, 1980.
13. Interagency Agreement for Non-Structural Damage Reduction, December 15, 1980.

B. State

1. Commonwealth of Virginia Emergency Services and Disaster Law of 2000, as amended.
2. Code of Virginia, Title 10.1, Chapter 6, Article 1.1, Section 10.1-603.1 through 10.1-603.8: Flood Prevention and Protection Assistance Fund.
3. Code of Virginia, Title 10.1, Chapter 6, Article 6, Sections 10.1-658 and 10.1-659.
4. Commonwealth of Virginia Emergency Operations Plan, Basic Plan, as amended.

5. State Coordinating Officer Toolkit, FEMA, December 1996.

DEFINITIONS

Applicant – A state agency, local government, or eligible private nonprofit organization, Indian tribes, or authorized tribal organizations submitting an application to the GAR for assistance under the Hazard Mitigation Grant Program. An applicant becomes a subgrantee upon receipt of financial assistance.

Application – Refers to the initial request for Section 404 funding, as outlined in Section 206.436 of Federal 404 Regulations.

CFR – Code of Federal Regulations.

Declaration – An announcement of a Presidential determination that a natural catastrophe or other occasion or instance has occurred which requires federal assistance to supplement the Commonwealth and local efforts and resources to alleviate the damage, loss, hardship, or suffering caused thereby.

FEMA – Federal Emergency Management Agency.

FEMA-State Agreement – A formal legal document stating the understandings, commitments, and binding conditions for assistance applicable as the result of the major disaster or emergency declared by the President.

Governor's Authorized Representative (GAR) – The individual empowered by the Governor to represent him/her in activities related to the implementation of Public Law 93-288 and in ongoing state disaster/emergency preparedness, response, and hazard mitigation activities.

Grant – An award of financial assistance. The total amount eligible for the grant shall be based on 15 percent of the estimated total federal assistance provided under Sections 403, 406, 408, 410, 416, and 601 of the Stafford Act.

Grantee – The government to which a grant is awarded and which is accountable for use of the funds provided. The grantee is the entire legal entity even if only a particular component of the entity is designed in the grant award document. For purposes of this plan, the Commonwealth of Virginia is the grantee.

Hazard Mitigation - Any action taken to reduce or eliminate the long-term risk to life and property from natural or technological hazards. Any cost-effective measure that will reduce the potential for damage to a facility from a disaster event.

Hazard Mitigation Grant Program (HMGP) – The program authorized under Section 404 of the Act which may provide funding for certain mitigation measures identified through the evaluation of hazards conducted under Section 409 of the Act.

Hazard Mitigation Plan – The results of a systematic evaluation of the nature and extent of vulnerability to the effects of natural hazards present in society including the actions needed to minimize future vulnerability to hazards, as required under Section 409 of the Act.

Hazard Mitigation Plan Update – An update to the existing hazard mitigation plan, which may be accomplished either by updating the status of mitigation actions with the existing plan, or by expanding the existing plan to address additional hazards or mitigation issues.

Hazard Mitigation Survey Team (HMST) – A joint FEMA/state survey team activated following a disaster to quickly identify opportunities and issues to be addressed in the Section 409 Hazard Mitigation Plan.

Interagency Hazard Mitigation Team (IHMT) – A team of representatives of federal agencies, state agencies, and local government that is activated following disasters to exchange information and coordinate government mitigation activities.

Letter of Intent – A form letter indicating applicant’s interest in participating in the Hazard Mitigation Grant Program. The form is distributed by VDEM at the mitigation specific applicants’ briefing.

Local Government – Any county, city, township, or other political subdivision of the Commonwealth of Virginia.

Local Hazard Mitigation Officer (LHMO) – The local government employee assigned to coordinate activities of the local hazard mitigation team relative to a Presidential disaster declaration or state/local emergencies.

Local Hazard Mitigation Team (LHMT) – A team of individuals selected by local governments impacted by the disaster to assist state Hazard Mitigation Team with hazard mitigation activities in their areas.

Measure – A term used interchangeably with the term “project” to identify any mitigation action taken or proposed to reduce risk of future damage, hardship, loss, or suffering resulting from disasters.

Major Disaster – Any natural catastrophe, including any hurricane, tornado, storm, flood, high-water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosion, which, in the determination of the President of the United States is, or thereafter determined to be, of sufficient severity and magnitude to warrant major disaster assistance under the Stafford Act (P.L. 93-288 as amended by P. L. 100-707) to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship or suffering caused thereby and is so declared by the President.

Mitigation Strategy – A document developed immediately after the disaster declaration by the State Hazard Mitigation Officer, in consultation with the State Coordinating Officer that identifies mitigation priorities for the 404 Hazard Mitigation Grant Program and for other hazard mitigation activities implemented in the declared area(s).

National Flood Insurance Program - The NFIP is a Federal program enabling property owners in participating communities to purchase insurance as a protection against flood losses in exchange for State and community floodplain management regulations that reduce future flood damages. Participation in the NFIP is based on an agreement between communities and the Federal Government. If a community adopts and enforces a floodplain management ordinance to reduce future flood risk to new construction in floodplains, the Federal Government will make flood insurance available within the community as a financial protection against flood losses. This insurance is designed to provide an insurance alternative to disaster assistance to reduce the escalating costs of repairing damage to buildings and their contents caused by floods.

Natural Disaster – Any natural catastrophe, including any hurricane, tornado, storm high water, wind driven, tidal wave, tsunami, seiche, earthquake, volcanic eruption, landslide, mudslide, snowstorm, fire, or drought.

Pre-application Form – A standard form which provides basic details about the applicant, description of the project and estimated cost. The form is used to initially screen the potential projects for eligibility for the Hazard Mitigation Grant Program.

Private, Nonprofit Organization – Any nongovernmental agency or entity that currently has

- a. An effective ruling letter from the U.S. Internal Revenue Service granting tax exemption under Section 501(c), (d), or (e) of the Internal Revenue Code of 1954 or
- b. Satisfactory evidence from the state that the organization or entity is a nonprofit one organized or doing business under state law.

Project – Used interchangeably with the term “measure.”

Regional Director (RD) – A director of the regional office (Region III) of FEMA, or his/her designated representative.

Section 409 Hazard Mitigation Plan – The State Hazard Mitigation Plan that is required as a condition of receiving federal disaster assistance under Section 409 of Public Law 93-288, as amended. The Section 409 Plan is the basis for the identification of measures to be funded under Section 404. The State Hazard Mitigation Plan is also an annex of the State Emergency Operations Plan and is promulgated to all state agencies and local governments.

Section 409 Projects – Projects proposed by eligible applicants through the State Hazard Mitigation Officer and Team to FEMA for implementation following a Presidential Disaster Declaration.

Standards – Codes, specifications, or standards for the construction of facilities, to include legal requirements for additional features. Such standards may be different for new construction and repair.

State Administrative Plan for the Hazard Mitigation Grant Program – This plan, developed by the state, which describes the procedures for administration of the Hazard Mitigation Grant Program.

State Hazard Mitigation Officer (SHMO) – The individual designated by the GAR as the responsible individual on all matters related to the Section 404 Hazard Mitigation Grant Program, the Section 409 Hazard Mitigation Planning Program, and the coordinated State Hazard Mitigation Planning Program.

State Hazard Mitigation Plan – As an annex to the State Emergency Operations Plan, the hazard mitigation plan is used as a means of identifying natural and assessing risks across the state. It is also the means of identifying and assessing hazard mitigation opportunities that will reduce the threat to people and property. Following Presidentially declared disasters; this plan will coincide with the Section 409 Plan and fall under its authorities and responsibilities.

State Hazard Mitigation Program - An ongoing program involving a coordinated effort of most state agencies to reduce the risks to people and property from natural hazards. During and following periods of Presidentially-declared disasters, this program will coincide with activities required under Sections 404 and 409 of Public Law 93-288 and the associated FEMA federal regulations.

State Hazard Mitigation Committee – A group of individuals appointed by the directors of state agencies with hazard mitigation responsibilities or programs who will assist with hazard mitigation activities related to Sections 404 and 409 of Public Law 93-288 and to other ongoing activities of the state Hazard Mitigation Program.

Sub grant - An award of financial assistance under a grant by the Grantee to an eligible Sub grantee. The Sub grant is a cost-share award providing 75 percent of the estimated costs of a hazard mitigation project from federal sources. The state, the local government, the Subgrantee, or other source may provide the 25 percent nonfederal share.

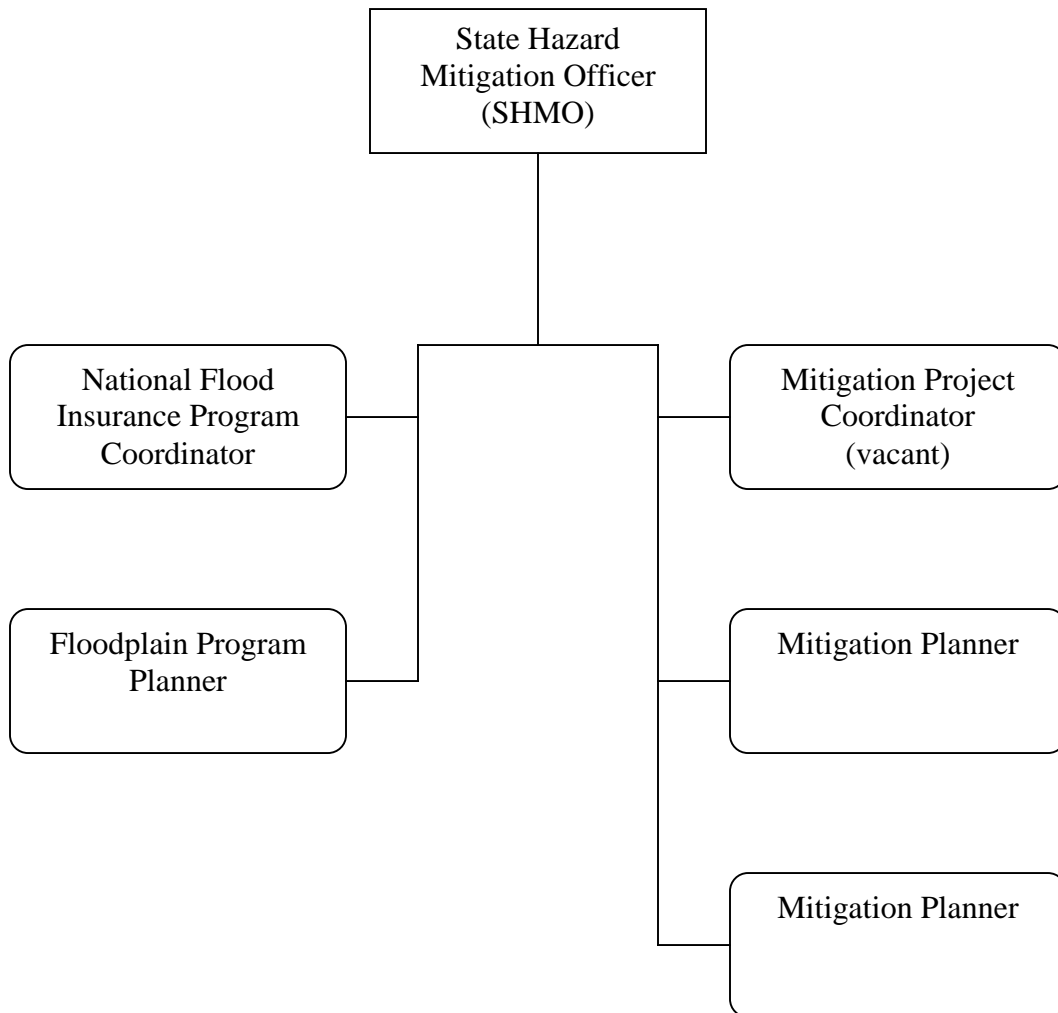
Sub grantee – The government or other legal entity to which a Sub grant is awarded and which is accountable to the Grantee for the use of the funds provided. Sub grantees can be a state agency, a local unit of government, a private nonprofit organization that provides essential government services, or Indian tribe as outlined in Section 206.433 of Section 404 Federal Regulations.

Supplement – The request that the state submits to FEMA to add or modify measure(s) for which Section 404 funding is requested, as outlined in Section 206.436. The application plus all supplements identify the total number of measures for which funding is requested.

VDEM – Virginia Department of Emergency Management.

Virginia Uniform Statewide Building Code - The Virginia Uniform Statewide Building Code (USBC) contains the building regulations that must be complied with when constructing a new building or structure or an addition to an existing building, maintaining or repairing an existing building, or renovating or changing the use of a building or structure.

HAZARD MITIGATION FLOW CHART FOR DISASTER FIELD OFFICES



Appendix 10:
DISASTER FUNDING AND FINANCIAL MANAGEMENT

Contact: Linda Coleman VDEM, (804) 897-6500, ext. 6549

PURPOSE

- A. To establish disaster procedures to meet requirements placed on state and local governments in OMB A-102, *Grants and Cooperative Agreements with State and Local Governments* (revised) and OMB A-87, *Cost Principles for State, Local, and Indian Tribal Governments* (Revised).
- B. To establish and document disaster procedures to meet requirements placed on VDEM by agencies of the Commonwealth including, but not limited to Department of Accounts (DOA), Department of Planning and Budget (DPB), Department of General Services – Division of Purchases and Supply (DGS, P&S), and Department of Human Resources Management (DHRM).
- C. To establish disaster procedures necessary to meet the financial assistance and reporting obligations assigned to VDEM upon the Governor's Emergency Declaration and the President's Disaster or Emergency Declaration.

ORGANIZATION

- A. The staff of the Recovery and Administrative Services Division will be made available as needed, to meet the needs of VDEM in fulfilling its disaster responsibilities. These include a compilation, analysis, and estimate of state disaster funding; fiscal support of state staff at the DFO; procurement advice and services for disaster needs; disaster payments; and selected logistic support. The VDEM Fiscal Director will recommend which staff shall be temporarily assigned to the Virginia Emergency Operations Center (VEOC), the Virginia Public Inquiry Center, or the Disaster Field Office (DFO). The Fiscal Director will coordinate with the Director of Operations or the Deputy State Coordinating Officer to determine staffing for the VEOC, VPIC, and DFO.
- B. In accordance with the Code of Virginia, the State Coordinator may contract or hire additional personnel help to meet requirements placed on VDEM. The Fiscal Director will ensure the training and competency of the temporary or reservist staff assigned to fiscal duties.
- C. The Department of Accounts (DOA) will process documents for payments, the Department of Planning and Budget (DPB) will prepare decision briefs for gubernatorial funding authorizations and process FATS actions for spending authority, and the Auditor of Public Accounts will answer questions about OMB circulars.

CONCEPT OF OPERATIONS

- A. The extent of a disaster will dictate the extent of financial management involvement and the level of funding requirements. The Finance Office shall provide any assistance needed to prepare a cost projection analysis for each disaster to determine anticipated funding needs.
- B. Financial Management

1. The VDEM Recovery and Administrative Services Division handles all disaster funds. Immediately following a major disaster declaration, the GAR provides the VDEM Fiscal Director with copies of:
 - a. Governor's implementing executive order.
 - b. President's declaration of major disaster.
2. Organization
 - a. A fiscal office will be established in the DFO and staffed to provide the following:
 - (1) Financial advice to the State Coordinating Officer/GAR/PAO and/or designee.
 - (2) Purchasing and contractual needs.
 - (3) A temporary petty cash fund for DFO operations.
 - (4) Advice regarding travel reimbursements and accounting for hours worked.
 - b. The central fiscal office will:
 - (1) Establish separate federal and state accounts and cost codes to enable VDEM to account for disaster costs including:
 - (a) VDEM administrative costs.
 - (b) VDEM payments to applicants under the Public Assistance Program.
 - (c) VDEM payments to Social Services for the ONA Program.
 - (d) VDEM payments to other state agencies that administer other disaster assistance programs such as housing, crisis counseling, etc.
 - (2) Arrange with the Department of Planning and Budget (DPB) to have sufficient state and federal appropriations made to cover all disaster-related funds to be granted by FEMA. This calculation should include adequate state sum sufficient funds to fulfill federal matching requirements placed on other state agencies and adequate state sum sufficient funds to fulfill local government matching requirements based on stress factors calculated by DPB using the JLARC formula.
 - (3) These funds will be accounted for by:
 - (a) Pay-in and payout vouchers prepared and maintained by the VDEM fiscal office.
 - (b) The GAR/PAO/Fiscal Director will maintain records of claims payments in applicant files.

(c) Damage assessment information determines the amount of program funds needed. FEMA amends the state's current letter of credit by the amount of the preliminary damage assessment.

(d) Funds are obligated based on approved Project Worksheets (PWs).

3. Payments - Advances and Final

a. The payment process is as follows:

(1) The GAR/PAO submits a request for payment letter to the VDEM Fiscal Director.

(2) The Recovery and Administrative Services Division effects any required drawdown of federal funds and ensures timely payment action by the VDEM Finance Division, the Department of Accounts, and the Treasury.

b. A drawdown will be requested only if there is an actual need for funds.

4. Reporting Requirements

a. The VDEM Fiscal Director will submit quarterly reports to FEMA in accordance with OMB A-102 as follows:

(1) PMS 272, Report of Withdrawals.

(2) Standard Form 269, or Form 20-10, Financial Status Report.

b. A separate SF 269 is required for each disaster when closed.

C. Audit Requirements

1. Each grantee and subgrantee, which receive \$300,000 or more in federal financial assistance, shall have audits made in accordance with OMB Circular A-133.

2. The Finance Office assures that the grantee and subgrantees perform these audits on a timely basis.

3. The Finance Office reviews audits completed for the grantee and subgrantees. If adverse findings are reported, the Finance Office assures that appropriate action is taken and reports that action to the Auditor of Public Accounts.

4. The GAR/PAO sends a copy of the audit performed on state operations to the FEMA Inspector General.

5. In addition to A-133, specific disaster audits may be performed at the request of the GAR or FEMA.

D. During a significant disaster, a fiscal office will be set up at the Disaster Field Office (DFO). This office will be staffed to provide the following:

1. Financial advice to the State Coordinator or to individuals he designates to handle disaster decisions.
2. Purchasing and contractual needs.
3. A temporary petty cash fund that may include a petty cash checking account.
4. Advice to VDEM employees on travel reimbursement vouchers and accounting for hours worked.
5. Maintenance of accounting records to determine employee costs (salary and fringe benefits) and travel reimbursements.
6. Coordination of pool vehicle requirements.

E. The central fiscal office will:

1. Establish cost codes and project codes with the Department of Accounts (DOA) to enable VDEM to account for the following:
 - a. VDEM administrative costs.
 - b. VDEM payments to applicants under the Public Assistance Program.
 - c. VDEM payments to Social Services for the ONA program.
 - d. VDEM payments to other state agencies that administer other disaster assistance programs such as housing, crisis counseling, etc.
2. Arrange with the Department of Planning and Budget (DPB) to have adequate sum sufficient and federal appropriations made to cover all disaster-related funds to be granted by FEMA. This calculation should include adequate state sum sufficient funds to fulfill federal matching requirements placed on other state agencies and adequate state sum sufficient funds to fulfill state government matching requirements based on stress factors determined by VDEM. The total state sum sufficient fund needs will be estimated by a mutual estimate between DPB and VDEM on disaster-by-disaster basis. The prepared estimate will not preclude a return to the Sum Sufficient account of funds, determined at a later date, to be in excess of current year's needs. Conversely, the estimate will not preclude a supplemental request when additional sum sufficient funds are needed.

F. Fiscal Advice to Large Project Applicants

1. The provisions of OMB Circular A-133 must be followed. If the entity's audit is not in conformance with provisions of the Single Audit Act, federal and/or state funds may have to be returned to VDEM. Questions about this Act may be addressed to the State Auditor of Public Accounts.

2. The federal portion, 75 percent, of the costs of approved project applications with costs under \$54,100 will be sent to VDEM within 30 days of the DPB appropriation. The \$54,100 amount will be adjusted annually by FEMA in accordance with the Consumer Price Index.
3. The state portion, if applicable, of project eligible costs will be sent by VDEM at the same time as the federal amount.
4. The applicant may, with VDEM written approval, select the alternate project option when a 10 percent reduction is taken on the project application amount for which the alternate project is being requested.
5. The "Common Rule," OMB A-102 (revised), will be followed for administration and eligibility requirements.
6. No project application will usually be written for less than \$1,000.
7. For large projects amounting to \$54,100 or more, drawdowns from the HHS "Smart Link" system will be made to reimburse the applicant for incurred expenditures and current cash needs.
8. In-kind match is an eligible form of match to the subgrantees. OMB A-102 (revised) defines this kind of match in Section 24. Documentation of such match is a vital key to its eligibility.

G. Reports

1. In accordance with OMB A-102, a Standard Form (SF) 424 will be submitted by VDEM to FEMA to obtain funding for Presidentially declared disasters. The VDEM employee responsible for the declaration process will provide the figures for the financial section of the form. Revisions to SF 424 may be submitted to FEMA by VDEM as conditions warrant.
2. FEMA will provide VDEM with an increase in the HHS "Smart Link" system when a presidential disaster is declared. When only a Gubernatorial disaster is declared, a copy of the Governor's executive order will be provided to the Recovery and Administrative Services Division Director.
3. A FATS action will be sent to DPB for state sum sufficient and/or federal funds to be appropriated and allotted to VDEM.
4. Reporting of payroll, invoice, purchasing, petty cash, and travel reimbursement activities will be made in accordance with forms currently required by state and agency rules and regulations.
5. In accordance with OMB A-102, the following reports will be submitted to FEMA on a quarterly basis for each active disaster:
 - a. Standard Form 269A or 20-10.
 - b. PMS 272A.

6. A 76-10 will be prepared by FEMA when a Presidentially declared disaster is in a position to be closed. This form will be checked and approved for the State Coordinator's signature by the Recovery and Administrative Services Director.
7. After the 76-10 is received by FEMA, any surplus funds provided for the closed disaster will be removed from the HHS "Smart Link" system.

H. Public Assistance - Subgrantee

1. Allowable Costs for Each Project Application
 - a. Employee salaries and wages to include fringe benefits, when time is documented.
 - b. Materials and supplies used in performance of eligible work.
 - c. Contract costs of eligible work performed following the provisions of OMB A-102 (Revised) and OMB A-87 (Revised).
 - d. Necessary engineering and design costs.
 - e. Ownership and operation costs for applicant-owned equipment (per FEMA schedule).
 - f. Obligated cooperative agreement costs.
 - g. A reduction for insurance will be made.
2. Allowable Administrative Costs for Each Project Application
 - a. Three (3) percent of first \$100,000 of net eligible costs.
 - b. Two (2) percent for the next \$900,000.
 - c. One (1) percent for the next \$4,000,000.
 - d. One-half (1/2) percent for all over \$5,000,000.

I. Public Assistance - Grantee (State)

1. All state agencies with damages eligible for public assistance will be considered a subgrantee. DSRs will document the damage and the dollar amount of damage.
2. Allowable administrative costs for state agencies with approved project applications will follow subgrantee rules.
3. Allowable grantee administrative costs:
 - a. Three (3) percent of first \$100,000 of application's total net eligible costs.
 - b. Two (2) percent for the next \$900,000.

- c. One (1) percent for the next \$4,000,000.
- d. One-half (1/2) percent for all over \$5,000,000.

J. Public Assistance - Cost Distribution

1. The Federal Emergency Management Agency (FEMA) will provide 75 percent of the total eligible amount on each project application.
2. The Commonwealth of Virginia through the Virginia Department of Emergency Management (VDEM) will provide a minimum of 10 percent of the total eligible amount on each local government project application. A percentage greater than the base of 10 percent will be determined by VDEM based on a stress factor determination. The stress factor will not increase the state match percentage to a percentage greater than 25 percent. For eligible state agencies, VDEM may provide the entire match or the Department of Planning and Budget (DPB) may determine that the eligible state agency will provide some or all of the required 25 percent match.
3. The subgrantee will provide the percentage needed which is greater than any percentage VDEM may provide. For local governments, the percentage will be between 0 and 15 percent. For other eligible non-state (such as private nonprofit) subgrantees, the percentage will be 25 percent.

K. Other Needs Assistance Program

1. VDEM will request funding, receive funds on Health and Human Services (HHS) Smart Link and distribute requested and/or required funds to the Department of Social Services (DSS).
2. Quarterly reports will be prepared by the DSS 15 days after each quarter to allow VDEM time to prepare quarterly reports for FEMA.
3. A final report will be prepared by the DSS at least 60 days after the end of the program's allowed operation. VDEM will prepare a final report to FEMA 30 days after receipt of the DSS report.
4. Excess funds being held by the DSS must be returned to VDEM with the final report. VDEM will close out the financial award when FEMA sends a Closeout 76-10.

L. Temporary Housing Assistance

The procedures established in the Other Needs Assistance grant program, A-D, will apply here except the Department of Housing and Community Development should be substituted for the Department of Social Services.

M. Crisis Counseling Assistance

The procedures established in the Individual and Family Grant, A-D, will apply here, except the Department of Mental Health, Mental Retardation and Substance Abuse Services should be substituted for the Department of Social Services.

AUTHORITIES AND REFERENCES

- A. Intergovernmental Cooperation Act of 1968.
- B. OMB A-102 (Revised), OMB A-128, OMB A-110.
- D. OMB A-87 (Revised).
- E. OMB A-133 (Revised).
- D. Code of Virginia, Section 44-146.18:2.
- E. State Coordinating Officer Toolkit, FEMA, December 1996.

Appendix 11:
COMMONWEALTH EMERGENCY RELIEF FOR LOCALITIES
Contact: Bob Andersen, VDEM (804) 897-6500, ext. 6538

PURPOSE

To establish procedures whereby the Governor can provide direct grants to cities and counties that cannot by other means meet the costs of disaster-related response activities or damages to public property.

ORGANIZATION

The Department of Emergency Management (VDEM) shall administer this program. Allotments shall be considered grants made at the discretion of the Governor. Funding shall come from the Governor's authority to expend a Sum Sufficient pursuant to the Virginia Emergency Services and Disaster Law of 1973, as Amended.

CONCEPT OF OPERATIONS

- A. Localized major emergencies or disasters, such as tornadoes, are not likely to result in sufficient total damages to warrant a Presidential disaster declaration. They can, however, be very devastating for any individual locality affected. The primary intent of this program is to provide state assistance to cities and counties for uninsured disaster-related costs, such as debris clearance, following such a small-scale or localized disaster when federal disaster assistance is not forthcoming.
- B. Eligibility Criteria
1. Cities, towns and counties are eligible. Eligible costs incurred by towns, public service authorities, volunteer fire departments, and volunteer rescue squads may be included in a county or city's total costs. State agencies are not eligible.
 2. Only cities and counties that have sustained total eligible costs of \$4 or more per capita are eligible. Towns are eligible based on the following cost criteria:
 - Population 3,500 or less: eligible for incurred eligible damages of \$15,000 or greater or
 - Population 3,500 or more but less than 5,000: eligible for incurred eligible damages of \$20,000 or greater or
 - Population 5,000 or greater with total eligible costs of \$4 or more per capita may received assistance

No site or facility may be included with less than \$1,000 in eligible costs. However, the total cost of debris clearance may be considered as a single site.

3. Cities and counties must (1) maintain property insurance on a full replacement cost, agreed amount basis with a blanket building and contents limit or {2} be self insured.
 4. Each city/county applicant must certify that they are not capable of covering disaster-related costs by other means.
 5. A declaration of a local emergency in response to the event is required.
- C. It is reasonable to expect that cities and counties carry insurance for damages to public buildings and property, to include coverage for contents. It is not the intent of this program to replace or subsidize such insurance protection.
- D. Cities and counties with buildings or facilities at risk from flooding are expected to participate in the National Flood Insurance Program and to obtain special flood insurance coverage. Consequently, assistance will be provided for flood-related damages only above the amount that was covered, or should have been covered, by flood insurance. In the absence of flood insurance, VDEM will, if necessary, arrange for an NFIP-trained insurance adjuster to survey flood-damaged facilities in order to determine an estimated total amount that could have been obtained under insurance settlements. This amount will then be deducted from the grant amount to be provided by the Commonwealth to the locality. Again, it is not the intent of this program to replace or subsidize insurance protection.
- E. Unless otherwise stated in this appendix, eligible costs are as defined in the Public Assistance component of the Stafford Act (PL 93-299, as amended). Reference the FEMA “Public Assistance Guide”.
1. Examples of costs which may be eligible:
 - a. Overtime for city/county employees.
 - b. Debris removal from public property.
 - c. Protective measures to reduce or eliminate an immediate hazard. Examples: sandbagging, temporary backup power for critical facilities, security for the disaster area, removal of health and safety hazards, etc.
 2. Examples of costs that shall not be eligible:
 - a. Regular time for city/county employees.
 - b. Snow removal.
 - c. The restoration of sand lost to beach erosion.
 - d. Insurance deductibles.
 - e. The amount covered, or which should have been covered, by flood insurance.

- f. Federal disaster assistance matching funds.
 - g. Business interruption costs.
- F. **Special Conditions Regarding Drought:** In addition to meeting the application requirements in Appendix 11 of Volume No. 2 of the Commonwealth of Virginia Emergency Operations Plan and prior to receiving state funding, each eligible drought-impacted public water system shall be certified by the Department of Environmental Quality (DEQ) and/or the Department of Health (VDH) that the public water system is no longer able to serve the minimal needs of its customers for potable water. Once certified, public water systems will be eligible for state funding to support a program of rationed distribution of potable water for a period of 60 days. Eligibility is contingent upon the locality or localities served by the public water system having instituted appropriate water conservation measures. The determination of the appropriateness of these measures shall be at the sole discretion of the Governor but are intended to include, at a minimum, enforcing the water use restrictions in Executive Order 33 (2002). This rationed distribution program shall provide for five gallons of potable water per day for each household resident and an appropriate allocation for medical and congregate-care facilities and schools (to be determined by the VDH). Determination of eligible costs will be solely at the discretion of the Governor but are intended to cover purchase and transportation of potable water and purchase or rental of holding tanks at distribution locations, or other appropriate measures as approved by the Governor. The reimbursement for eligible costs will be at 33 percent of eligible costs. Costs for administering and maintaining the distribution system will not be eligible.
- G. Cities or counties that meet the above eligibility criteria may apply for financial assistance from the Commonwealth. Assistance may be requested for needed work or for repair work already accomplished. The first step is to complete the form at Tab A and submit it to VDEM. It must be submitted within 30 days of the date of the disaster.
- H. Upon receipt of the application, VDEM may arrange for an on-site inspection of all damage sites. In order to expedite the survey process, applicants are requested to take the following steps before the arrival of the inspection team. (These are the same steps that would be required under a Presidential declaration.)
 - 1. Prepare a list of all facilities damaged as a direct result of the disaster, including those where repair work may already have been performed. Segregate work/damages into appropriate categories (see Tab A). Include both work that has been completed and that which has not.
 - 2. Mark the location of each damage site on a suitable map.
 - 3. Have photographs, site sketches, or drawings of each damage site available for inspectors (especially where work has already been performed).
 - 4. Compile a detailed breakdown of labor (including fringe benefits), equipment, and material costs for each location where work has been done. Include contract costs for emergency or permanent restorative work in progress or completed. Separate all costs by work site.

5. Provide emergency personnel overtime records for disaster-related work. Provide records reflecting mileage for disaster-related use of equipment and/or emergency vehicles.
 6. Provide inspectors with policy information on insurance coverage and any proceeds received or anticipated.
 7. List equipment, materials, or inventory lost as a result of the disaster. Provide copies of estimates, bids, purchase orders, invoices, inventory records, or other substantiating evidence to verify loss values or replacement cost.
 8. Ensure that a knowledgeable person (engineer, superintendent, public works director, etc.) accompanies the survey team. This person must have knowledge of work already done as well as all damaged facilities needing work. He must also be authorized to concur/nonconcur with damage survey findings.
 9. If damaged facilities are to be restored in accordance with adopted codes or standards different from the original construction, provide inspectors with copies of appropriate authorizing documentation.
- I. VDEM reservists and inspectors from other state agencies will constitute the state damage survey report teams. They will follow the same process and procedures as with a federal disaster inspection, minus federal officials. VDEM will provide the necessary training and a pre-deployment briefing for each inspection team. A separate Project Worksheet will be completed for each large damage site or system (roads, water lines, sewerage lines, storm drainage, etc.).
- J. A summary report, to include individual Project Worksheets as completed (see Appendix 8, Tab G), will be prepared by VDEM for each city or county applicant and submitted to the Governor for action.
- K. If the Governor approves the city or county's request for assistance, the funds are obligated. However, these funds are drawn down only as projects are completed and the actual costs of each are documented and requested by the city or county. Unless payments have already been made to a contractor, the transfer of funds from state-to-locality-to-contractor should be accomplished within 30 days.
- L. The amount of financial assistance for which a city or county may be eligible will range from 50 to 75 percent of total eligible costs. The percentage will vary based on the Commission on Local Government's fiscal stress index. The cumulative effect of recent disasters during the preceding 12 months may also be considered.
- M. In addition to a local emergency declaration, a declaration of a "State of Emergency" from the Governor for the affected jurisdiction(s) is normally required. However, if a jurisdiction meets the criteria set forth in the guidelines and procedures, but is not included in such a Gubernatorial declaration, the Governor is authorized to have the discretion to make an allotment to that jurisdiction in the same manner as if the jurisdiction had been so declared.
- N. Cities and counties shall maintain complete documentation of all costs in a manner approved by the Auditor of Public Accounts and shall provide copies of the documentation to VDEM upon request.

- O. Upon the completion of each disaster-related project, an accounting must be made of all funds received and payments. The grantee city or county shall certify that the reported costs were incurred in the performance of eligible work and that the project was completed in accordance with state program requirements. In order to satisfy itself for this certification, the grantee may perform such inspections and audits, as it deems necessary. VDEM will review the reported costs to determine if the costs are eligible. VDEM may conduct inspections or audits as necessary to verify eligible costs. A supplemental Project Worksheet will be prepared for each project to adjust the approved amount upward or downward as the case may be. If additional funds are approved by VDEM, the grantee may then make an additional drawdown of any funds remaining from the original obligation.
- P. Within 60 days following the completion of all disaster-related projects, a final summary report must be submitted by each city or county grantee. It will include the final amount paid for each project. If it is determined that some ineligible costs had been drawn down by the grantee, then any excess drawdown of state funds shall be returned to the state.
- Q. The Governor shall report to the Chairmen of the Senate Finance Committee, the House Appropriations Committee, and the House Finance Committee within 30 days of authorizing the sum sufficient pursuant to this section. VDEM shall report annually to the General Assembly on any cities or counties that have received financial assistance under this program and the amount each received. The required 60 day summary report from each grantee city or county will be available upon request.

REFERENCES

- A. Virginia Emergency Services and Disaster Law of 1973, as Amended. (Code of Virginia, Section 44-146.13, et seq.)
- B. Public Assistance Guide, Federal Emergency Management Agency, FEMA 286 September 1996.
- C. The Feasibility of Establishing a Virginia Emergency and Disaster Relief Fund, House Document No. 49 ("The Crouch Study"), Commonwealth of Virginia, Department of Planning and Budget, December 1996.

Appendix 11, Tab A

<p>Commonwealth of Virginia NOTICE OF INTEREST IN APPLYING FOR COMMONWEALTH EMERGENCY RELIEF</p>			
Name of Incident:	Incident Date or Period:		
Description of Incident:			
Estimate of Total Eligible Costs:			
CHECKLIST OF DAMAGES BY CATEGORY			
<table style="width: 100%; border: none;"><tr><td style="width: 50%; vertical-align: top; padding-right: 20px;"><p>A. DEBRIS CLEARANCE</p><p><input type="checkbox"/> On Public Roads & Streets including ROW</p><p><input type="checkbox"/> Other Public Property</p><p><input type="checkbox"/> Private Property (<i>When done by local govt. forces</i>)</p> <p>C. ROAD SYSTEM</p><p><input type="checkbox"/> Roads <input type="checkbox"/> Streets <input type="checkbox"/> Traffic Control</p><p><input type="checkbox"/> Bridges <input type="checkbox"/> Culverts</p><p><input type="checkbox"/> Levees</p> <p>E. BUILDINGS AND EQUIPMENT</p><p><input type="checkbox"/> Buildings and Equipment</p><p><input type="checkbox"/> Supplies or Inventory</p><p><input type="checkbox"/> Vehicles or Other Equipment</p><p><input type="checkbox"/> Transportation System</p> <p>G. OTHER (<i>Not in the above categories</i>) <input type="checkbox"/> Park Facilities <input type="checkbox"/> Recreational Facilities</p></td><td style="width: 50%; vertical-align: top;"><p>B. PROTECTIVE MEASURES</p><p><input type="checkbox"/> Life and Safety</p><p><input type="checkbox"/> Property</p><p><input type="checkbox"/> Health</p><p><input type="checkbox"/> Stream/Drainage Channels</p><p><input type="checkbox"/> Structure Demolition</p> <p>D. WATER CONTROL FACILITIES</p><p><input type="checkbox"/> Dikes <input type="checkbox"/> Dams</p><p><input type="checkbox"/> Drainage <input type="checkbox"/> Irrigation Works</p> <p>F. PUBLIC UTILITY SYSTEMS</p><p><input type="checkbox"/> Water</p><p><input type="checkbox"/> Sanitary Sewage</p><p><input type="checkbox"/> Storm Drainage</p><p><input type="checkbox"/> Light/Power</p></td></tr></table>		<p>A. DEBRIS CLEARANCE</p> <p><input type="checkbox"/> On Public Roads & Streets including ROW</p> <p><input type="checkbox"/> Other Public Property</p> <p><input type="checkbox"/> Private Property (<i>When done by local govt. forces</i>)</p> <p>C. ROAD SYSTEM</p> <p><input type="checkbox"/> Roads <input type="checkbox"/> Streets <input type="checkbox"/> Traffic Control</p> <p><input type="checkbox"/> Bridges <input type="checkbox"/> Culverts</p> <p><input type="checkbox"/> Levees</p> <p>E. BUILDINGS AND EQUIPMENT</p> <p><input type="checkbox"/> Buildings and Equipment</p> <p><input type="checkbox"/> Supplies or Inventory</p> <p><input type="checkbox"/> Vehicles or Other Equipment</p> <p><input type="checkbox"/> Transportation System</p> <p>G. OTHER (<i>Not in the above categories</i>) <input type="checkbox"/> Park Facilities <input type="checkbox"/> Recreational Facilities</p>	<p>B. PROTECTIVE MEASURES</p> <p><input type="checkbox"/> Life and Safety</p> <p><input type="checkbox"/> Property</p> <p><input type="checkbox"/> Health</p> <p><input type="checkbox"/> Stream/Drainage Channels</p> <p><input type="checkbox"/> Structure Demolition</p> <p>D. WATER CONTROL FACILITIES</p> <p><input type="checkbox"/> Dikes <input type="checkbox"/> Dams</p> <p><input type="checkbox"/> Drainage <input type="checkbox"/> Irrigation Works</p> <p>F. PUBLIC UTILITY SYSTEMS</p> <p><input type="checkbox"/> Water</p> <p><input type="checkbox"/> Sanitary Sewage</p> <p><input type="checkbox"/> Storm Drainage</p> <p><input type="checkbox"/> Light/Power</p>
<p>A. DEBRIS CLEARANCE</p> <p><input type="checkbox"/> On Public Roads & Streets including ROW</p> <p><input type="checkbox"/> Other Public Property</p> <p><input type="checkbox"/> Private Property (<i>When done by local govt. forces</i>)</p> <p>C. ROAD SYSTEM</p> <p><input type="checkbox"/> Roads <input type="checkbox"/> Streets <input type="checkbox"/> Traffic Control</p> <p><input type="checkbox"/> Bridges <input type="checkbox"/> Culverts</p> <p><input type="checkbox"/> Levees</p> <p>E. BUILDINGS AND EQUIPMENT</p> <p><input type="checkbox"/> Buildings and Equipment</p> <p><input type="checkbox"/> Supplies or Inventory</p> <p><input type="checkbox"/> Vehicles or Other Equipment</p> <p><input type="checkbox"/> Transportation System</p> <p>G. OTHER (<i>Not in the above categories</i>) <input type="checkbox"/> Park Facilities <input type="checkbox"/> Recreational Facilities</p>	<p>B. PROTECTIVE MEASURES</p> <p><input type="checkbox"/> Life and Safety</p> <p><input type="checkbox"/> Property</p> <p><input type="checkbox"/> Health</p> <p><input type="checkbox"/> Stream/Drainage Channels</p> <p><input type="checkbox"/> Structure Demolition</p> <p>D. WATER CONTROL FACILITIES</p> <p><input type="checkbox"/> Dikes <input type="checkbox"/> Dams</p> <p><input type="checkbox"/> Drainage <input type="checkbox"/> Irrigation Works</p> <p>F. PUBLIC UTILITY SYSTEMS</p> <p><input type="checkbox"/> Water</p> <p><input type="checkbox"/> Sanitary Sewage</p> <p><input type="checkbox"/> Storm Drainage</p> <p><input type="checkbox"/> Light/Power</p>		
Name of City or County Applying for Assistance:			
Representative 1:	Representative 2:		
Title:	Title:		
Business Address:	Business Address:		
Business Telephone:	Business Telephone:		
Signature:	Signature:		
Send to: Virginia Dept. of Emergency Management, 10501 Trade Court, Richmond, VA 23236 FAX: 804-897-6506			

Appendix 12:
CRISIS COUNSELING AND EMERGENCY MENTAL HEALTH SERVICES

Contact: Bill Armistead, DMHMRSAS, (804) 786-5671

PURPOSE

To set forth the organization, tasking, and basic concepts of operation needed to provide crisis counseling and emergency mental health services following a major disaster in accordance with the Stafford Act (PL 93-288, Section 416).

ORGANIZATION

These services are to be provided by the Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS) and the community services boards across the Commonwealth.

CONCEPT OF OPERATIONS

- A. The Director of the Federal Emergency Management Agency (FEMA) is authorized, pursuant to Section 416 of The Stafford Act, to allow financial assistance to state or local agencies or private mental health organizations to provide professional counseling services to victims of major disasters or training of disaster workers in order to relieve mental health problems caused or aggravated by such disasters.
- B. An individual may be eligible for crisis counseling services if he/she was a resident of the designated disaster area(s) or was located in the area at the time of the disaster event and if he/she has a mental health problem which was caused or aggravated by the major disaster or its aftermath, or if he/she may benefit from preventive care techniques.
- C. The Department of Mental Health, Mental Retardation, and Substance Abuse Services (DMHMRSAS) will:
 - 1. Assure that the state's DMHMRSAS facilities and community services boards are aware of their responsibilities in the event of a major disaster, participate in local emergency services planning activities, and have in place necessary procedures and plans for responding to major disasters.
 - 2. In the event of a major disaster, direct the state's DMHMRSAS facilities to implement their emergency preparedness plans, to include provisions for relocating patients/residents as required.
 - 3. In the event of a major disaster, direct the state's DMHMRSAS facilities and community services boards to establish liaison with local governments and to assist with local emergency

operations as appropriate. Implement crisis counseling services as agreed in local Emergency Operations Plans.

4. Provide back-up assistance, on a standby basis, to those community services board staff that are providing crisis-counseling services during a major disaster. If needed, community services board(s) in the disaster area should request DMHMRSAS to coordinate with other community services boards in unaffected areas of the state in order to send additional crisis counseling staff to help in designated disaster area(s).
 5. Provide additional assistance as requested by the Virginia Department of Emergency Management (VDEM), within the capability of the Department, to include on-site visits to assess service needs and the provision of needed technical assistance.
 6. DMHMRSAS will implement the following procedures in response to a major disaster.
 - a. The Commissioner/designee of the Department will, upon notification by the state Department of Emergency Management of a disaster and the need for emergency services, determine the need (and location) for evacuation/relocation for emergency operations by the Central Office.
 - b. The Commissioner/designee of the Department will direct, as required, implementation of disaster plans by state facilities for the provision of crisis counseling and other emergency assistance.
 - c. The Commissioner/designee of the Department will instruct the directors of state facilities to cooperate fully with VDEM and local government officials.
 - d. The Commissioner/designee will notify the directors of community services boards in the affected area and that they may be contacted to provide crisis counseling services.
 - e. The Commissioner/designee, at the request of the Community Services Board Director/designee, located in the affected area, will contact other DMHMRSAS facilities or community services boards in unaffected areas to identify supplemental crisis counseling staff who could be dispatched to the disaster area.
 - f. The Commissioner/designee will be available to respond to specific requests from state facilities and community services boards affected by a disaster.
- D. There are ten DMHMRSAS psychiatric facilities and five mental retardation training centers statewide (see Tab A). Each will:
1. Develop and maintain a facility emergency response plan which sets forth procedures to be followed in time of emergency such as a lock-out for security purposes, a temporary evacuation as with a fire drill, or a longer-term relocation to another pre-designated facility. Coordinate

with local emergency management officials and prepare to assist with local emergency operations as appropriate.

2. In the event of a major disaster, provide for the safety and health of all persons at the facility as appropriate and in accordance with the facility emergency response plan. Assist with local emergency operations, as appropriate, providing such services as crisis counseling to disaster victims, space for emergency hospitals, or temporary housing for displaced persons.
3. Facilities in unaffected areas of the state may be requested to assist facilities in the disaster area(s) by providing such services as staffing support or the reception and care of relocated patients/residents. Such assistance will be coordinated by DMHMRSAS.
4. Develop procedures for responding to major disasters affecting the facility, including preparedness training in hospital, communication, and recording procedures.
5. Prepare and routinely update facility emergency response plans and procedures, which include:
 - a. Procedures for coordinating with the emergency management staff of local governments and with the State EOC.
 - b. Responsibilities and procedures affecting the facility that are contained in the local emergency operations plans.
 - c. Circumstances and procedures under which the facility would initiate evacuation and relocation of facility patients and residents.
 - d. Procedures for the housing of disaster victims and volunteer workers and providing additional supportive services on the facility grounds.
 - e. Procedures for alerting and communicating with facility personnel and volunteer workers for assisting victims during the disaster.
 - f. Procedures for keeping records of disaster-related events and actions.
 - g. Procedures for transmitting situation reports to, and for requesting assistance from, the State EOC.
 - h. Procedures for accessing disaster response resources and assistance from other state facilities, and the Department during major disasters.
 - i. Establishment of lines of succession of key facility personnel during the disaster and procedures for implementing such succession, including notification of the appropriate personnel of local and state agencies.
6. Provide support and assistance to community services boards and other local agencies, volunteer associations, and federal agencies, according to the capability of the facility, during emergency operations.

7. Inform local government emergency management personnel of the responsibilities of the state facility during a major disaster and of procedures in place for accessing the resources of the facility.
 8. Coordinate, to the extent possible, with local institutions of higher learning, mental health associations, and other volunteer agencies in establishing disaster response agreements and identifying potential resources to be used during a major disaster.
 9. When directed by the Governor or Commissioner of DMHMRSAS that a major disaster exists, the Director/designee of a facility shall establish liaison with local government, make his facility available for relief assistance, and initiate implementation of the facility emergency response plan.
 10. Upon an emergency declaration by local government, the Director/designee shall notify the Commissioner of DMHMRSAS to make his facility available for relief assistance, and implement the facility emergency response plan. During and after the event, the facility should maintain liaison with local government(s) and provide emergency mental health services as needed.
 11. The Director/designee, in conjunction with the Commissioner/designee, shall determine whether or not the nature of the disaster requires evacuation and relocation of facility patients or residents. If a total or partial evacuation is necessary, the Director/designee shall inform the Commissioner (or his designee), the local emergency services staff, and the receiving facility and proceed with the evacuation according to the procedures contained in the facility emergency response plan.
 12. The Director/designee will be available to federal emergency response staff and keep accurate records of victims and treatment in order to support applications for federal assistance in accordance with instructions received from the state Department of Emergency Management.
 13. The Director/designee will provide periodic reports to the Commissioner/designee on the situation and any problems that may require state-level intervention.
- E. The state's Community Services Boards are listed at Tab A. Each will:
1. Provide, through the mental health centers or other programs, crisis counseling services following a major disaster. The provision of these services shall be coordinated with DMHMRSAS, local emergency management officials, and VDEM.
 2. Maintain, on an ongoing basis, an emergency preparedness planning and response capability, which includes liaison with the state Department of Emergency Management and other emergency preparedness agencies and associations and periodic revision of the Department's emergency preparedness plan and operating procedures.
 3. Provide support and assistance to other state agencies, volunteer organizations, and federal agencies necessary to improve the Commonwealth's emergency preparedness capability. This

includes the provision of technical assistance, needs assessments, training programs, and resource directories.

4. Develop procedures for responding to major disasters, including preparedness training activities, designation of community services board staff who would provide crisis counseling services, and procedures that ensure responsiveness with appropriate state and local emergency services staff.
5. Participate in the development and maintenance of local emergency services emergency operations plans in accordance with DMHMR-CSB performance agreements.
6. Coordinate with the state facilities in the development of their emergency preparedness plans.
7. Provide crisis counseling training, support, and assistance to other local agencies and volunteer organizations, according to the capability of the community services board. This includes the establishment of disaster response agreements with other agencies and volunteer associations and the identification of potential community resources to be used either during the disaster or after the emergency has passed.
8. When advised by a local government that a major disaster exists, the Community Services Board Director/designee will make personnel available for crisis counseling, initiate implementation of responsibilities under the local emergency operations plan, and notify DMHMRSAS.
9. The Commissioner/designee shall follow up with the Community Services Board(s) in the affected area to ensure that the required liaison with local emergency management officials has been accomplished and that, if necessary, personnel were made available to provide crisis counseling services.
10. The Community Services Board Director/designee should designate staff who will be available to provide necessary crisis counseling services at Disaster Application Centers to render immediate assistance to disaster victims and volunteers who are experiencing emotional strain. These staff should make referrals, as appropriate, to other treatment resources for follow-up care.
11. The Community Services Board Director/designee should dispatch these designated staff to the Disaster Application Centers according to the procedures contained in the local Emergency Operations Plan.
12. Where an ongoing need for disaster-related mental health counseling occurs and when funding becomes available, the Community Service Board(s) may provide such services in accordance with official agreements involving the Federal Emergency Management Agency and DMHMRSAS.
13. If back-up staff from other community services boards is required, the Community Services Director/designee should notify DMHMRSAS. The Department will coordinate such assistance.

AUTHORITIES AND REFERENCES:

Robert T. Stafford Disaster Assistance and Emergency Assistance Act, Public Law 93-288, as amended, Section 416.

Appendix 12, Tab A
FACILITIES AND POINTS OF CONTACT

Department of Mental Health, Mental Retardation, and
Substance Abuse Services - Central Office

Business Tel. Residence Tel.

Commissioner James S. Reinhard 804-786-3921 804-323-1832
Director Disaster Preparedness & Response William C. Armistead 804-786-5671 804-379-0131
Community Services Boards/Facility Liaison .. Joel B. Rothenberg 804-786-6148 804-320-2084

Department of Emergency Management (VDEM)

State Emergency Operations Center (VEOC) 804-674-2400 (24-hours)
State Coordinator of Emergency Management. Michael M. Cline 804-897-6500, ext. 6501
Planner, State EOP Frank Williamson 804-897-6500, ext. 6527
Individual Assistance Officer Larry Braja 804-897-6500, ext. 6533

Psychiatric Facilities

Catawba Hospital, Catawba
Central State Hospital, Petersburg
Eastern State Hospital, Williamsburg
Southwestern Virginia Mental health Institute, Marion
Western State Hospital, Staunton
Commonwealth Center for Children, Staunton
Hiram W. Davis Medical Center, Petersburg
Piedmont Geriatric Hospital, Burkeville
Northern Virginia Mental Health Institute, Falls Church
Southern Virginia Mental Health Institute, Danville

Mental Retardation Training Centers

Central Virginia Training Center, Lynchburg
Northern Virginia Training Center, Fairfax
Southeastern Virginia Training Center, Chesapeake
Southside Virginia Training Center, Petersburg
Southwestern Virginia Training Center, Hillsville

Appendix 13
LOCAL DISASTER RECOVERY TASK FORCE
Contact: Selby Jacobs, DHCD (804) 371-7070

MISSION

Local Disaster Recovery Task Force - To assist and facilitate the establishment and maintenance of a standing committee in each city and county, which will assure that needed assistance, is provided to local disaster victims. This service is to be provided for small, localized disasters as well as for major, presidentially declared ones.

ORGANIZATION

Local Disaster Recovery Task Force - The Department of Housing and Community Development (DHCD) Disaster Recovery Office will, during normal operations, provide guidance and facilitate the development and maintenance of a local disaster recovery committee or task force, Local Disaster Recovery Task Force (LDRTF), in each city and county. Each LDRTF should include representatives from local government, the local office of the Department of Social Services, banks, churches, businesses, manufacturers, nonprofit groups, the local chapter of the American Red Cross, the Salvation Army, and other organizations which can assist families and businesses following a disaster.

CONCEPT OF OPERATIONS

- A. The major responsibility for assisting the victims of a disaster rests with local government. Each city and county is encouraged to establish and maintain a local disaster recovery committee or task force LDRTF to make sure that the needs of disaster victims are appropriately addressed. Each LDRTF has the flexibility to assist residents following either a small-scale localized disaster or a major disaster. In either situation, the use of locally available resources is likely to be the best and quickest way to help disaster victims. The LDRTF serves in support of local government when it provides assistance, or assures the provision of assistance by others, to disaster victims. These local committees can convene at any time and during any type of disaster, whether declared or not, to satisfy unmet needs with local resources. Each local recovery committee or task force should be active and functioning whether or not the community is experiencing a disaster.
- B. For a small-scale disaster with only a few families as disaster victims, local resources should be adequate. The LDRTF will assure that the community assistance effort is timely, well coordinated, and appropriate. Should local resources not be adequate, the LDRTF should pursue outside assistance on behalf of local government. Task force or committee members representing participating organizations must coordinate their efforts.
- C. The chairperson of the LDRTF is ideally an individual appointed by the local governing body. He or she is usually a long-time resident of the locality with a clear understanding of the resources available and how to access those resources when needed. Other members of the Task Force should include:

1. Private sector business people (including local bank representatives, manufacturers, retailers, builders, realtors) and other civic-minded citizens who can help identify resources that address unmet needs.
 2. Representatives from church groups, the local Red Cross chapter, the Salvation Army, and other nonprofit and charitable groups.
 3. Local government staff and staff from the local field offices of state agencies, to include public works, social services, agriculture, building officials, economic development, and finance.
- D. It must be understood that each member, agency, or organization maintains its own autonomy in the provision of disaster relief services. However, the impact of any disaster can strain or exceed the resources of a single agency or organization, whether government or voluntary. These needs can only be met by consolidating and concentrating resources and by establishing and implementing a unified and focused response. The goals of the LDRTF are:
1. To establish an ongoing and proactive planning process whereby local representatives of government, businesses, volunteer organizations, and non-profit organizations can jointly anticipate and prepare to meet the disaster-related needs of individuals and businesses.
 2. To establish a committee, which will constitute the LDRTF and, which will implement this planning process.
- E. For a major, presidentially declared disaster, victims may be eligible to receive federal disaster assistance. After this process, however, families and businesses may still have unmet needs. If so, the LDRTF will assist them as needed. It will make sure that the needs of disaster victims are met, even when all other resources have been exhausted.
- F. During normal operations, each LDRTF should develop plans and procedures for providing disaster relief services. The services available from participating organizations should be documented. Shortfalls should be addressed. The LDRTF should be a community-driven effort that builds resources at the local level. Community self-sufficiency is to be encouraged.
- G. Procedures for developing and maintaining a LDRTF in each city and county should be included in each local Emergency Operations Plan (EOP). Guidance and assistance is available from DHCD and VDEM.

Appendix 14:
DONATIONS MANAGEMENT

PURPOSE

The purpose of this appendix is to describe the operational concepts, responsibilities and procedures of the state Donations Management Program (DMP) during response operations of the Virginia Emergency Operations Center (VEOC) and the recovery operations of the Disaster Field Office (DFO).

ORGANIZATION

The Department of Emergency Management (VDEM) will develop and maintain plans and procedures for donations management. When the VEOC is activated in response to a major emergency or disaster, the State Coordinator or authorized representative will direct the Preparedness and Mitigation Director to activate the Donations Management Team. The DMP will consist of two teams. Team A (Donations Coordination Team) will respond to the VEOC and Team B (Donations Coordination Team Advance) will respond to the disaster area/Disaster Field Office (DFO). Each Donations Coordination Team (DCT) team leader will have a clear understanding of the Federal Response Plan to ensure an appropriate interface with private resources.

CONCEPT OF OPERATIONS

- A. **THE MISSION OF THE DMP IS:** To manage the receipt, distribution, and disposition of solicited and unsolicited goods (that have been) donated to help disaster victims. DMP operations will be staffed primarily with volunteers and supplemented with VDEM staff.
- B. A computer based tracking system and the capability to use it efficiently will be established during normal operations. During the response and recovery operations, it will track offered goods and services available but not released, offered goods and services disbursed to the disaster area, and maintain an inventory of goods received (see Tab D to Appendix 14).
- C. During disaster response and recovery operations, the Commonwealth of Virginia and its political subdivisions are responsible to care for the welfare of the public and for meeting their emergency needs in a timely manner. The Commonwealth relies greatly on volunteers and donated goods and services to augment and support the local and state efforts. The DMP is designed to provide technical advice, and information to those who require assistance in an emergency or disaster, as well as to assist potential donors in understanding what resources and services are or may be needed during a crisis. In addition, the DMP will also identify those volunteer relief agencies, religious and civic groups, Citizen Corp Councils, Community Emergency Response Teams

(CERT), and the Virginia Voluntary Organizations Active in Disaster (VaVOAD), which could provide personnel or other resources to support these efforts. An important function of the DMP is to control the flow of solicited and unsolicited donated goods and services during the response and recovery operations. It applies to many needs of assistance that are unavailable from agencies within local, state, or federal government. This plan does not affect the established procedures of voluntary agencies regarding their respective procedures for solicited goods and services. It provides:

1. A way to identify anticipated needs and to obtain selected donations of goods and services.
 2. A method to publicize the needs of the community and victims.
 3. A system for receiving and recording offers of assistance.
 4. A source of needed and additional resources to state and volunteer agencies supporting the operation.
 5. A means to control the shipment of selected and unsolicited goods and services.
 6. A mechanism to document the community response and establish an official record.
 7. A process to coordinate and utilize skilled and unskilled labor resources.
 8. A method to evaluate the program under operating conditions.
 9. A mechanism to provide continuous, on-going training efforts to all DCT members.
- D. The Donations Coordination Team (DCT) coordinates the receipt and distribution of solicited and unsolicited donated goods from the VEOC during the initial phase of the disaster. The DCT will activate during augmentation of the VEOC or upon authorized request and establish a Communications Network. The Network consists of a 1-800 hotline phone bank, data processing, and a link between the VEOC/DFO, Donations Coordination Team Advance, entry points, warehouses, state agencies, and volunteer agencies. The tracking system process will also identify the needs for goods and services, the existing inventory levels in the warehouse or other known storage areas, and the availability of equipment and goods.
- E. The DCT manages calls received on the 800 hotline-related to offers of goods and services. Once a call is received, the caller's name, address, telephone number, and goods or services to be donated are recorded and entered into the tracking system. Then if the item is needed, a control number is given and the caller is informed where to deliver the goods. They must be delivered at the provider's own expense. The Virginia State Police or local police who are stationed at designated state entry points and are prepared to assist with routing the shipment to its destination uses the control number.

- F. If supplies are not needed, the caller's name, goods, and/or services offered are recorded and entered into the tracking system. If need exists later for items recorded in the tracking system, the individual is contacted to ship the item and shipping coordination is initiated.
- G. Callers will be encouraged to donate cash or credit to charitable organizations assisting the relief effort or to the Virginia Disaster Relief fund. Cash donations provide flexibility to purchase needed items, entail no transportation costs, and reduce labor needs in warehouses and aid in the economic recovery of the affected communities. Management of donated funds is the responsibility of VDEM Recovery and Administrative Services Division.
- H. Despite efforts to control the flow of needed goods and services into Virginia, some unsolicited supplies and volunteers may arrive without a control number. The VDEM encourages donors interested in volunteering their personal services to affiliate with a recognized nonprofit voluntary organization to facilitate their involvement in public emergency relief activities. Shipments of goods will be directed to a relief storage area (RSA) outside the impact area. These items will be entered into the tracking system for future possible use. Offers of perishable goods will not be accepted, but directed to local food banks.
- I. The necessary manpower, equipment, staff, communications, and security support for required facilities and sites will be provided by local and state government, volunteer organizations and federal government as needed.
- J. The Donations Coordination Team Advance (DCT-A) will establish a Donations Coordination Center (DCC) within proximity of the disaster area, to immediately begin setting the stage for a successful donations management operation. The establishment of such a facility should be coordinated with the Local Recovery Task Force or other local organization. Upon activation of the DCC, the DCT-A will establish a communications pathway with the VEOC, DCT, VDEM Regional Coordinator, Emergency Services Coordinator, Local Recovery Task Force, or other local organizations and the DFO once it is operational. The DCC will be utilized to coordinate the deployment of solicited and unsolicited volunteer services, assess the donations management capabilities of local government, provide directions and guidance to the Local Recovery Task Force or other local organization, and develop current data for VDEM News Release. The establishment of the DCC ensures a cost-effective relief operation and avoids duplication by:
 - 1. Making early contact with the key Donations Coordinators of the national voluntary organizations for donations situation assessment.
 - 2. Coordinating the donations effort throughout the United States with the DCT at VEOC to ensure that unsolicited items do not arrive and accumulate, thereby overextending storage and personnel resources in the disaster area.
 - 3. Using the public education and outreach programs to control the flow of solicited and unsolicited goods and services into a disaster area.

4. Working with certain state agencies and charitable organizations to identify equipment needs and developing procedures for its use.
 5. Identifying potential sites and facilities to administer and coordinate the receipt and distribution of donated goods and services into the affected area.
 6. Managing the entry of needed shipments into one of two distribution centers either (the support warehouse or a volunteer agency warehouse) or directing unneeded items to a relief storage area to be off-loaded, stored, and inventoried until needed or until disposition.
- K. Development of a local capability to manage goods and services in time of disaster should be a priority in both affected and unaffected areas.

TAB A to APPENDIX 14

Virginia Donations Management
DONATIONS OFFER FORM

Sample Form

Date: _____ **Call-Taker:** _____ **Time:** _____

CALLER INFORMATION:

From: ☐ Business ☐ Individual ☐ Other Organization _____

Name: _____

Contact Numbers:

1) _____ Type: _____

2) _____ Type: _____

3) _____ Type: _____

Best Time to Contact: _____

Item or Skill Offered (Volunteer's travel and lodging are at their own expense):

GOODS OFFERED:

Item(s):

Quantity: _____ How Packed: _____

Offer available until (date): _____

Location of Resource: _____

NOTES and COMMENTS:

CALL BACK DATE: _____ **CALLER:** _____

RESPONSE: _____

Control Number: _____

Revised 09/03

TAB B to APPENDIX 14

Virginia Donations Management
Agency Need Form

Sample Form

Date: _____ Call-Taker: _____ Time: _____

CALLER INFORMATION:

Name: _____

Contact Numbers:

4) _____ Type: _____

5) _____ Type: _____

6) _____ Type: _____

Best Time to Contact: _____

AGENCY INFORMATION:

Address: _____

City: _____ State: _____ Zip: _____

DESCRIPTION OF NEED:

COMMENTS:

REFERRAL INFORMATION:

Date Referred: _____

Assigned to: _____

Control Number: _____

Revised 09/03

TAB C to APPENDIX 14

Virginia Donations Management
Individual Need Form

Sample Form

Date: _____ Call-Taker: _____ Time: _____

CALLER INFORMATION:

Name: _____

Address: _____

City: _____ County: _____ Zip: _____

Contact Numbers:

7) _____ Type: _____

8) _____ Type: _____

9) _____ Type: _____

Best Time to Contact: _____

DESCRIPTION OF NEED:

COMMENTS:

REFERRAL INFORMATION:

Date Referred: _____

Assigned to: _____

Date Closed: _____

By: _____

Control Number: _____

Revised 09/03

TAB D to APPENDIX 14

Sample
Form

Tab E to Appendix 14

WAREHOUSE OPERATIONS

GENERAL

The information provided in this annex applies to all warehouses; those managed by state, county or local government agencies, volunteer agencies, or volunteers; those designated to handle donated and needed supplies, or to store and distribute unsolicited goods. The Adventist Disaster Response/Community Service will be activated through VVOAD to manage warehouse operations. The procedures used in this plan closely mirror the Adventist Disaster Response/Community Services Warehouse Management Team Guide.

The following items are not to be accepted under any circumstance for disaster relief operations:

- A. Alcohol Products, Consumable - The Commonwealth of Virginia protocols specifically prohibits the Virginia Department of Emergency Management from dispensing consumable alcohol products.
- B. Prescription Drugs – The Commonwealth of Virginia, by law, is prohibited from dispensing prescription drugs and medications.
- C. Used Mattresses and Pillows – The Commonwealth of Virginia prohibits the reuse of mattresses and pillows.
- D. Perishable Goods – Most warehouses do not have refrigerated or frozen storage containers available. Offers of perishable goods will be directed to local food banks.

CRITERIA

- A. Site Selection
 - 1. Convenient access to modes of transportation. Location should be near major roads, airport, rail, or port facilities for receiving or distributing supplies.
 - 2. 20,000-25,000 square feet, or larger, for staging area warehouse for distribution of donated and/or needed supplies and materials. Locate in proximity of potential disaster affected areas.
 - 3. 50,000-100,000 square feet, or larger, for storage and distribution of unsolicited goods. Locate away from potential disaster affected areas.
 - 4. Uninterrupted availability during the duration of a disaster.

B. Structure

1. One story, open facility.
2. Safe structure, with fire protection features and convenient emergency exits. Requires inspection and occupancy permit by local building official prior to occupancy.
3. Adequate loading docks and support equipment.
4. Separate areas for receiving and shipping.
5. Sanitary facilities, telephone, and appropriate utilities.
6. Pest control prior to occupancy, performed by a professional pest control service, and continuing at periodic intervals thereafter during the operation. Pest control measures will include treatment for rodents and insects.
7. Adequate security.
8. Adequate aisle width and alignment.
9. Adequate turning spaces for equipment maneuvering.
10. Sufficient flow patterns from receipt of goods to storage and to shipping.

C. Facility Layout

1. Develop warehouse kit that contains signs identifying areas where each type of goods and materials are located, safety signs, smoking areas, and rest areas.
2. Ensure storage of non-perishable and fast-moving supplies are located closest to the loading and shipping areas.
3. Locate workstations to obtain the most effective and efficient use by warehouse personnel.
4. Identify holding areas for supplies after receipt and until they can be moved.

D. Equipment

Minimum warehouse needs include:

1. 1 Reach forklift
2. 1 Standard forklift
3. 1 Shrink wrap machine
4. 2 Pallet jacks

5. 2 Dock plates
6. 2 Hand trucks
7. 30-40 Pallets or skids

Note: Numbers of each needed depends on size of warehouse. Additional equipment can be obtained from other Department of General Services units, donated items or can be rented.

PROCEDURES

There are basically five phases of a warehouse operation; receiving, storing, filling orders, shipping orders, and controlling inventory. These will apply for all warehouses dedicated to disaster relief holding solicited or unsolicited goods (Tab 6 – Warehouse Operations).

A. Receiving

Trucks will be unloaded and goods inspected before storing. Receiving personnel will:

1. Verify quantity, description of item or items
2. Inspect for visible damage
3. Sign packing list to verify receipt
4. Assign a control number and place number of cartons
5. Complete log entry
6. Give copy of packing list/bill of lading to Warehouse Manager

B. Storing

Once data entry has been made of goods received, the Warehouse Manager, or his designee, will be notified and will assign products to the proper storage areas according to the warehouse location chart. If adequate storage space is unavailable at the moment, the items will be moved to the Relief Storage Area (RSA) until needed. Supplies should be stacked no higher than four feet on each pallet. The pallets should be moved to the designated area by forklift. Limit stacked pallets to three high. It is desirable that stored goods be moved “first in, first out”.

C. Filling Orders

The Donations Coordination Team should generate orders for supplies. Warehouse personnel will:

1. Verify information
2. Check location of supplies
3. Gather supplies, verify quantity and description of items
4. Places supplies on pallet for wrapping.
5. Ensure heavier items on bottom of pallet to prevent damage

6. Give copy of order to driver and a copy to Warehouse Manager

D. Shipping

1. The forklift operators take the wrapped order to a shipping dock and loads order onto vehicle. Operators will place “rush orders” on vehicle last.
2. The driver delivers the goods, obtains signature from recipient and returns signed order form to warehouse personnel.

E. Inventory Controls

Warehouse personnel are responsible for the Inventory Control. The Warehouse Manager will ensure all packing lists, and bills of lading have been received.

ORGANIZATION

Warehouse personnel may consist of the Warehouse Manager, Assistant Warehouse Manager, Inventory Specialist, Receiving Supervisor, Storage Supervisor, Shipping Supervisor, Clerks, Material Handlers and additional personnel as needed. The staff may be a mixture of volunteers and local agency personnel, as well as Adventist staff.

A. Warehouse Manager

1. The Warehouse Manager assumes the overall responsibility of planning, assessing, organizing, staffing, directing and controlling the warehousing effort during a disaster recovery operation.
2. The Warehouse Manager also provides leadership, technical guidance, and training to assigned members to ensure a safe and effective operation.
3. Additional duties and responsibilities may include:
 - a. Identify, open, maintain, and close the Relief Storage Area
 - b. Take physical inventory of facilities before taking possession
 - c. Obtain material handling equipment
 - d. Ensure on-going telecommunications equipment is available
 - e. Maintain a computer based inventory and volunteer data base
 - f. Develop floor plan of warehouse to include:
 - Location of items by commodity
 - Install placard cards to identify location of commodities
 - Mark flow of traffic

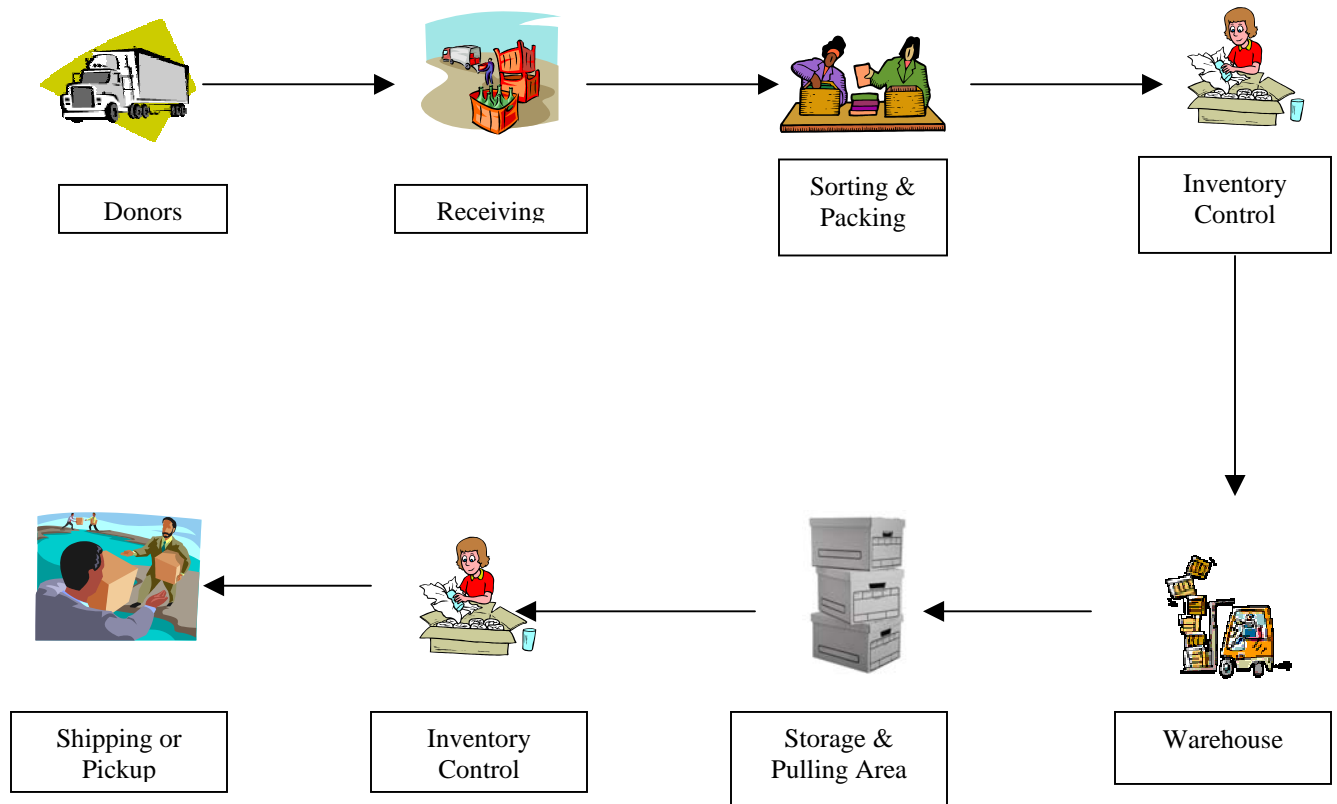
- Location of areas to register, brief and assign volunteers
 - g. Manage all aspects of a warehouse operation to include receiving goods, inspecting, maintaining inventory, stocking items, packing items and shipping orders.
 - h. Assign available personnel to positions in the warehouse based on their experience.
 - i. Forward all records and reports within a reasonable time to the Donations Coordination Team Leader.
- B. The Warehouse Manager may assign available personnel to maintain a database of stock levels by commodity stored in the Relief Storage Area. These duties and responsibilities may include:
1. Maintain a liaison with the Donations Coordination Center for exchange of data for goods inbound, received, stored and shipped to include:
 - a. When supplies, goods, and equipment received.
 - b. Shipping company and means of transport.
 - c. Condition of goods received.
 - d. Quantities and type of supplies.
 - e. Number of goods, by item, in storage.
 - f. Quantity and type of supplies shipped.
 - g. Distinction of goods shipped to include date and time shipment received by requestor.
 2. Update database of goods in storage at the end of each day and provide this report to the Warehouse Manager.

WAREHOUSE CLOSURE

- A. At the closure of warehouse operations, it may be necessary to make arrangements to take care of any remaining items. These items will be offered to local agencies for day to day assistance to the community, local ministerial association, local food banks, or will be offered to the Adventist Community Services for use in future disasters. A complete inventory must be presented to the Warehouse Manager at the time of closure. The Warehouse Manager will forward this inventory to the Donations Coordinator who will contact local officials and advise them of the excess inventory.
- B. Volunteers should be recognized for their contribution to the operation. A recognition and awards program should be scheduled shortly after the conclusion of the operation to express thanks from the Virginia Department of Emergency Management.

Tab F to Appendix 14

WAREHOUSE FLOW CHART



Tab G to Appendix 14

SORTING AND STORAGE OF DONATED GOODS

GENERAL

- A. Care should be taken in sorting unsolicited donated goods so as to assure only the best of the “usable” goods are included for packing and shipment.
- B. The sorting and sizing of unsolicited goods should be separated from the main area of the warehouse. After sorting and sizing, all items should be packed in uniform sized boxes for easy shipping, storage and handling. The weight of each box should not exceed 45 pounds.

CLOTHING

- A. Make sure all clothing items are clean and in good repair. When packing clothing, all items should be separated by size and packed in each size category. Pants and slacks should be packed so that the longest inseam is packed on the bottom and shortest on top.
- B. All underwear and socks must be new and should remain in its original package.

OTHER GOODS

- A. Items other than clothing should be sorted into specific categories:
 - 1. Foods
 - 2. Cleaning Supplies
 - 3. Personal Care Items
 - 4. Paper Products
 - 5. Baby Goods
 - 6. Blankets and Linens
 - 7. Miscellaneous
- B. Warehouse personnel will sort incoming mixed goods in preparation for inventory and storage. A box numbering system will be instituted to expedite the storage and distribution process. This numbering system has been adopted from the Adventist Community Services Warehouse Management Team Guide. The numbering system will aid in identifying pallets containing different products within a general category (i.e. foods labeled in the 100 series may include mixed vegetables, dried foods, etc.). Cases must be all like products but need not be same brands or the same size.

UNUSABLE AND UNNEEDED ITEMS

- A. Unusable items may include items that are torn, broken, badly soiled or stained. Unneeded items are things that are out of season, not appropriate for the disaster response or have not been requested by the Donations Coordination Team.
- B. Some items may be recycled and some items must be discretely discarded. A large dumpster will be delivered to the warehouse location for the purpose of discarding unusable and unneeded items. Arrangements will be made for dumpster contents to be emptied regularly.

Tab H to Appendix 14

FOOD STORAGE

GENERAL

- A. Food shall be protected from contamination by storing the food in accordance with the following Virginia Department of Health regulations, §12 VAC 5-421-610:
1. In a clean, dry location;
 2. Where it is not exposed to splash, dust, or other contamination;
 3. At least 6 inches above the floor.
 4. Food in packages and working containers may be stored less than 6 inches above the floor on case lot handling equipment as specified under §12 VAC 5-421-1420.
 5. Pressurized beverage containers, cased food in waterproof containers such as bottles or cans, and milk containers in plastic crates may be stored on a floor that is clean and not exposed to floor moisture.
- B. Food may not be stored in any of the following locations:
1. In locker rooms;
 2. In toilet rooms or their vestibules;
 3. In dressing rooms;
 4. In garbage rooms;
 5. In mechanical rooms;
 6. Under sewer lines that are not shielded to intercept potential drips;
 7. Under leaking water lines, including leaking automatic fire sprinkler heads, or under lines on which water has condensed;
 8. Under open stairwells; or
 9. Under other sources of contamination.
- C. Special care must be taken in sorting canned goods. Canned goods stored in high humidity areas may ultimately rust, resulting in leaky cans. The following must be looked for and disposed of:
1. Dented cans with sharp creases
 2. Cans or packages that do not contain labels

3. Rusted cans
 4. Cans that are bulging
 5. Home canned or packaged foods
 6. Re-packaged foods (Wet or Dry)
- D. The Virginia Department of Health (VDH) may choose to inspect donated food items. Should the VDH determine any food items unsuitable for consumption, these items shall immediately be removed from the warehouse and discarded.

SHELF LIFE

- A. Extended shelf life is primarily affected by oxygen, fat, moisture, heat and time – The lower the values the better. Excessive quantities of these elements will cause loss of nutritional value, off flavors, odors and rancidity. Handling and physical damage must also be kept to a minimum.
- B. Some foods, such as canned foods, have a product code stamped on the bottom or top of each container providing information such as “use by date” or “best quality date”, the name of the plant where the food was manufactured, and the lot number. Consumers may contact the food manufacturer directly to determine “use by dates”. Many food manufacturers provide a toll free number for consumer questions.
- C. Shelf life determination will be based on the following Virginia Polytechnic Institute’s Cooperative Extension Service guidelines:
1. Dry food staples such as flour, crackers, cake mixes, seasonings should be stored in their original packages or tightly closed airtight containers below 85° F. Humidity levels greater than 60% may cause dry foods to draw moisture, resulting in caked and staled products.
 2. Breads should be stored in the original package at room temperature and used within 5 to 7 days.
 3. Cereals may be stored at room temperature in tightly closed containers to keep out moisture and insects. Whole-wheat flour may be stored in the refrigerator or freezer to retard rancidity of the natural oils.
 4. Store raw white rice in tightly closed containers at room temperature and use within one year. Brown and wild rice stored at room temperature will have a shorter self-life (6 months) due to the oil becoming rancid.
 5. Canned vegetables can be stored in a cool, dry area below 85° F (optimum 50° F to 70° F) for up to one year. After one year, canned vegetables may still be consumed. However, overall quality and nutritional value may have diminished.

6. Canned fruit and fruit juices may be stored in a cool, dry place below 85° F (optimum 50° F to 70° F) for one year.
 7. Dried fruits have a long shelf life because moisture has been removed from the product. Unopened dried fruits may be stored for 6 months at room temperature.
- D. Food having a shelf life of up to 30 days will be labeled as such and placed on the warehouse floor for immediate distribution.
- E. Food items with a longer shelf life may be placed in the Relief Storage Area for distribution as needed.
- F. Warehouse personnel will inspect and inventory the food supply daily. Food items with expiration date of same day will be removed from the shelf and discarded. Warehouse personnel will also inspect daily for possible contamination of food supply. Food items found to be contaminated will be removed from the warehouse floor and discarded immediately. Warehouse personnel will notify the Warehouse Manager of items removed from stock and the need for replacement food.

Appendix 15:

HISTORIC RESOURCES

Contact: Kathleen S. Kilpatrick, (804) 367-2323, ext. 128)

MISSION

To provide disaster relief assistance to communities in Virginia during and following emergencies and disasters by following the procedures outlined in the Nationwide Programmatic Agreement between the Federal Emergency Management Agency, the National Conference of State Historic Preservation Officers, and the Advisory Council on Historic Preservation.

ORGANIZATION

The Department of Historic Resources is the State agency having the expertise in matters related to the preservation of Virginia's historic properties. The agency has regional offices in Winchester, Roanoke, Portsmouth, and Petersburg. The Richmond central office, Division of Resource Services and Review, will coordinate the efforts of the regional offices and other departmental program areas. The State Historic Preservation Office will coordinate with federal and local governmental staff concerned with historic resources.

CONCEPT OF OPERATIONS

- A. In the event of a disaster, the Director of the Department of Historic Resources (DHR) will be notified of the event so that a departmental representation can be established to provide support for the event.
- B. DHR has architects, architectural historians, and archaeologists on staff who are able to advise agencies and individual citizens on the appropriate ways to stabilize historic structures and archaeological sites that may be threatened during disasters. This assistance is designed to protect the loss of the communities' historic fabric, protect income that results from the presence of historic properties, and protect the investment of real property that home and business owners have in historic buildings.
- C. DHR staff will be available at the DFO as needed to participate in federal-state staff discussions, provide information on programs that provide financial incentives for the rehabilitation of historic structures such as the Federal and State Rehabilitation Tax Credit Programs, and to provide assistance related to compliance with Section 106 of the National Historic Preservation Act.
- D. The Public Assistance and Hazard Mitigation sections in the DFO will ensure that projects under their purview have received consideration of historic importance and requirements of each project. They will contact the State Historic Preservation Officer when any question regarding historic issues arises.

Appendix 16
LEGISLATIVE LIAISON

Contact: Arthur Warren, VDEM, (804) 897-6500, ext. 6587

PURPOSE

The purpose of this appendix is to explain how the VDEM Legislative Liaison Office will, in coordination with federal, state and local officials, disseminate need-to-know information to the affected legislators following a major disaster.

ORGANIZATION

During emergency operations, the state legislative liaison will establish an operation at or near the State EOC in Richmond and have access to all status information. Once a Disaster Field Office (DFO) is set up near the disaster area, a joint federal/state Legislative Information Office will be established to gather, coordinate, prepare, and disseminate information to the legislators about federal disaster assistance and related issues.

CONCEPT OF OPERATIONS

- A. Whenever the EOC is monitoring an ongoing emergency or disaster situation, the legislative liaison will disseminate information to legislators as needed.
- B. The federal/state legislative office is responsible for providing information to legislators about statewide emergency operations following a declared disaster. Information is subject to rapid change before, during, and after a disaster situation; therefore, the legislative office must keep informed to ensure that accurate and current information is being disseminated.
- C. Legislative liaison personnel assigned to the disaster area will need to be familiar with federal and state disaster assistance programs.
- D. The VDEM legislative office will:
 - 1. Maintain a list of all local, state and federal legislators represented throughout the state and release pertinent disaster response and recovery information to them.
 - 2. Receive, compile, and prepare information about the disaster and recovery activities for release to legislators and their staffs with appropriate documentation copies of the communication.

3. Ensure that a legislative officer is available on scene prior to a presidential disaster declaration to minimize confusion and misinformation from the moment the federal, state and local legislators become involved.
4. Coordinate the release of disaster-related information with federal legislative personnel assigned by FEMA.
5. Maintain an office at or near the State EOC during emergency operations. Later, during the recovery period, maintain an office at or near the DFO for legislative inquiries.
6. Maintain a legislative status log or activities report to document constituent issues and actions taken to bring closure.
7. Establish and maintain a telephone answering system to handle legislative inquiries.

AUTHORITIES AND REFERENCES

- A. Public Law 93-288, Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended.
- B. Title 44, Chapter 3.2, Code of Virginia, and the Virginia Emergency Services and Disaster Laws, 2003 edition.
- C. Virginia Emergency Operations Plan, February 2004.

Appendix 17:
STATE DISASTER RECOVERY TASK FORCE
Contact: William C. Shelton, DHCD (804) 371-7002

PURPOSE

State Disaster Recovery Task Force - In the event of a catastrophic disaster involving widespread economic and/or residential dislocation and requiring a coordinated long term recovery effort, the Governor may direct the establishment of an ad hoc disaster-specific State Disaster Recovery Task Force to coordinate the activities of state agencies involved in assisting local governments with their recovery efforts.

ORGANIZATION

State Disaster Recovery Task Force - At the direction of the Governor, the Secretary of Commerce and Trade (SOCT) will activate a disaster-specific State Disaster Recovery Task Force office. The Secretary will designate a Task Force Coordinator and authorize the establishment of an office in or near the disaster area as needed. State agencies will provide resources and assistance within their areas of expertise as requested. The Department of Housing and Community Development (DHCD) will facilitate, with assistance from other state agencies as needed, the development of a coordinated plan for long-term recovery. Following activation, staff support will also be provided by DHCD and other state agencies as needed and directed by SOCT and the Task Force (see Tabs C and D).

CONCEPT OF OPERATIONS

State Disaster Recovery Task Force

- A. The Secretary of Commerce and Trade (SOCT) will review and analyze the specific disaster situation, with input from and consultation with relevant state agencies as needed, to determine initially if the disaster meets the criteria for deployment of the Task Force: 1) a catastrophic disaster that, 2) involves widespread economic and/or residential dislocation that overwhelms the affected community's(ies') ability to respond, and 3) requires coordinated assistance from the state government for long-term recovery. The Secretary will make a recommendation to the Governor regarding deployment. It is the sole discretion of the Governor whether or not to deploy the Task Force.
- B. Long-term recovery efforts following a major disaster will focus on community redevelopment and the restoration of economic viability. A substantial commitment of time and resources by both governmental and non-governmental organizations will be required. Much of this commitment is beyond the scope of traditional emergency management activities and federal disaster assistance

programs. Such needs are most often the result of a catastrophic event that has caused substantial, long-term damages over multiple jurisdictions. Long-term recovery efforts include but are not limited to:

1. Restoration of the public infrastructure, public facilities, and public services to include electric power, water supply, wastewater disposal and communications.
 2. Rehabilitation and rebuilding of private residential and commercial structures.
 3. Long-term restoration of the economic base of the disaster area.
- C. In the same way that the State Emergency Operations Center (EOC) provides operational control during the response period, the State Disaster Recovery Task Force will provide operational control of state government activities during the long-term recovery period. Close coordination will be required with Federal Disaster Assistance programs and services. The State Coordinating Officer (SCO) will fill this function.
- D. The major responsibility for managing post-disaster recovery and reconstruction following a catastrophic disaster belongs to local governments. Disaster recovery is a predictable process that can be planned for. Each locality should develop and maintain a recovery strategy within their local EOP. Such plans have proven to greatly facilitate the recovery process. Guidance and assistance will be provided by VDEM and DHCD.
- E. For both state and local governments, the primary responsibility for long-term disaster recovery operations should rest with community and economic development officials, not with emergency management officials. Close coordination between the State EOC and the disaster-specific State Disaster Recovery Task Force, and between local EOCs and Local Disaster Recovery Task Forces (LDRTF), will be needed during the transition from response to recovery.
- F. Within the Governor's State Disaster Recovery Task Force, the following functions will be provided by the following state agencies. Many of these functional task assignments are simply an extension of regular duties and responsibilities. Each agency is encouraged to develop and maintain a procedures manual explaining how these assigned tasks will be accomplished.

<u>Function</u>	<u>Responsible State Agency</u>
Donations Management	Emergency Management (VDEM)
Temporary Housing Assistance	Housing and Community Development (DHCD)
Private Structure Rehabilitation and Rebuilding	Housing and Community Development (DHCD)
Public Utilities Infrastructure Restoration	Emergency Management (VDEM) State Cooperation Commission (SCC)

	Health (DOH)
	Environmental Quality (DEQ)
Public Transportation	Transportation (VDOT)
Infrastructure Restoration	
Legal Services	Office of the Attorney General (ATG)
Business Recovery	Economic Development Partnership (EDP)
	Business Assistance (DBA)
Unemployment Assistance	Employment Commission (VEC)
Financial and Insurance	Planning and Budget (DPB)
Services	State Cooperation Commission (SCC)

- G. The direction and control of the Donations Management program will be transferred from the State EOC to the State Disaster Recovery Task Force as the emergency operations period transitions to the long-term recovery period. This transition should be seamless; there should be no change in the program staff.
- H. Federal agencies participating in long-term recovery will include FEMA, Housing and Urban Development (HUD), Health and Human Services (HHS), the Economic Development Administration (EDA), and the Small Business Administration (SBA). While not under the direct control of the State Disaster Recovery Task Force, all efforts will be made to coordinate federal recovery activities with state efforts through the SDRTF.
- I. The DHCD Disaster Recovery Office will be responsible for the overall management and administration of the Governor's disaster-specific State Disaster Recovery Task Force office. The staff will consist of full-time state positions and temporary personnel who have the technical knowledge of and access to resources available to assist with the long-term reconstruction and economic recovery effort. Administrative support will be provided by DHCD, and other state agencies as needed (see Tabs C and D). The Department of Emergency Management will reimburse direct and indirect administrative expenses.
- J. The Governor's disaster-specific State Disaster Recovery Task Force office will:
1. Coordinate the handling of federal, state, and private funding programs for reconstruction and redevelopment within the disaster area(s).
 2. Provide technical assistance to local governments and private nonprofit organizations to gain access to state and federal spending programs.
 3. Act as a catalyst for public/private community partnerships to promote redevelopment.

- K. The Coordinator of the Governor's disaster-specific State Disaster Recovery Task Force office will establish and maintain linkages with key state and local officials, community and business leaders, and federal officials to ensure effective communications and problem solving.
- L. The Governor's disaster-specific State Disaster Recovery Task Force office will remain open until public infrastructure and utilities services damaged by the disaster have been restored, adequate supplies of housing are available to disaster victims, and the economic base of the disaster area(s) has been restored. The Coordinator of the office, in coordination with the SCO, will then recommend to the Governor or his authorized representative that this office be closed. Upon concurrence by the Governor, the office will be closed. Permanent state positions assigned to the office will be relocated to their permanent workstations and the temporary positions will be discontinued. All records will be transferred to DHCD Disaster Recovery Office in Richmond.
- M. During normal operations, the DHCD Office of Disaster Recovery will coordinate the development and maintenance of plans and procedures for the operation of the Governor's disaster-specific State Disaster Recovery Task Force office. A planning process will be used requiring meetings annually or more often as needed. Agencies with assigned functional and sub-functional duties and responsibilities will participate as requested.

REFERENCES

- A. Executive Order Number Sixty-Six (96), Page Five, item 8.
- B. "A Blueprint for Action," The President's Action Plan for Recovery from the January 1998 Ice Storm (in New England), FEMA, February 1998.
- C. "Commonwealth of Virginia Resource Guidebook of State Agencies and Institutions," Virginia Department of Emergency Management, September 1998.

Appendix 18:
Debris Management

Contact: George Roarty, VDEM (804) 897-6500 x 6571

PURPOSE

To facilitate and coordinate the removal, collection, and disposal of debris following a disaster in order to mitigate against any potential threat to the health, safety, and welfare of the impacted citizens, expedite recovery efforts in the impacted area, and address any threat of significant damage to improved public or private property.

SITUATIONS AND ASSUMPTIONS

Natural and man-made disasters precipitate a variety of debris that would include, but not be limited to, such things as trees, sand, gravel, building/construction material, vehicles, personal property, etc.

The quantity and type of debris generated from any particular disaster will be a function of the location and kind of event experienced, as well as its magnitude, duration, and intensity.

The quantity and type of debris generated, its location, and the size of the area over which it is dispersed will have a direct impact on the type of collection and disposal methods utilized to address the debris, associated costs incurred, and how quickly the problem can be addressed.

In a major or catastrophic disaster, many state agencies and local governments will have difficulty locating staff, equipment, and funds to devote to debris removal, in the short term as well as long term.

Private contractors will play a significant role in the debris removal, collection, reduction, and disposal process of state agencies and local governments.

The debris management program implemented by state agencies and local governments will be based on the waste management approach of reduction, reuse, reclamation, resource recovery, incineration, and land filling, respectively.

ORGANIZATION

The Virginia Department of Emergency Management, in cooperation with the Federal Emergency Management Agency, coordinates the technical and financial assistance to support debris management operations of eligible applicants at the state and local level. The responsibility of coordinating debris removal operations is a function of the Public Works and Engineering Support Function (ESF 3) in the Federal Response Plan.

The technical assistance required to effectively support debris management operations involves the participation and support of a number of local, regional, state, and federal agencies as well as the private sector, that have the knowledge and expertise to address a broad range of issues relating to disaster assistance, contracting/procurement, the environment, health and safety, historic preservation, insurance, and jurisdictional/legal issues.

The Virginia Department of Emergency Management, in coordination with FEMA, is responsible for identifying and coordinating assistance and support from the appropriate agencies. Some of the principle state agencies involved in supporting the process include the Virginia Departments of Environmental Quality, General Services, Transportation, Health, Forestry, Fire Programs, Conservation and Recreation, the Virginia Marine Resources Commission, and the Office of the Attorney General. These agencies will

work with, and support the needs of, their federal and local counterparts, as required, to address the myriad issues and challenges associated with supporting an effective debris management strategy following a major disaster event.

CONCEPTS OF OPERATIONS

In order to provide timely and effective technical assistance to state agencies and local applicants following a disaster, the Virginia Department of Emergency Management and FEMA must develop a multifaceted and coordinated strategy, utilizing the latest technology and tools, to ensure the most effective application of limited resources from a variety of sectors over an extended period of time.

A. Disaster Field Office

Technical assistance, oversight, and support related to debris management will be coordinated from the Disaster Field Office by the FEMA Deputy Public Assistance Officer for Debris in cooperation with the Debris Management and Environmental Specialists designated by the Commonwealth. The Debris and Environmental Officers will support and report directly to the Commonwealth's Public Assistance Officer.

The DPAO-Debris, who reports directly to the Federal Public Assistance Officer, is responsible for ensuring that the federal assistance provided relates to eligible work and is in compliance with applicable environmental, health and safety, and transportation regulations. The DPAO-Debris is also responsible for coordinating debris-related mission assignments and providing guidance to Public Assistance Coordinators (PACs), Project Officers (POs), and applicants regarding debris-related issues.

To ensure that the necessary assistance and support is provided to state and local applicants throughout every stage of debris operations, the DPAO-Debris is supported by a debris team comprised of people who have knowledge, training, and experience in the public assistance program, and specifically debris management operations. The Commonwealth will identify representatives from the appropriate state agencies to support and work in coordination with FEMA debris team members and field personnel in addressing issues that may arise during recovery operations.

It is critical that the information and guidance provided to applicants is accurate, consistent, and timely in order to maximize the level of federal assistance and ensure the reimbursement of eligible costs in the most expedient manner. Meeting this objective will be challenging to state and federal coordinating agencies given the fact that debris-removal operations begin immediately following a disaster event, while regional Applicants' Briefings and local kick-off meetings generally occur weeks after an event. Other factors that impact the applicants' understanding of program assistance available and associated requirements relate to the knowledge and level of experience of the staff conducting the kick-off meetings and how thoroughly the information is explained; the level of support provided to applicants subsequent to the kick-off meetings; and the staff in attendance, as key personnel responsible for developing the necessary documentation to support applicants' claims are not always present.

To assist in addressing these issues, a number of Web-based materials will be developed to provide applicants with the necessary information and tools to better understand the basic elements and the overall process involved to receive assistance. Guidance such as the FEMA Debris Fact Sheet contained in Tab 1, checklists, sample contracts, right of entry/hold harmless agreements etc. are examples of some of the items that can be included. The materials will be developed, packaged, and made available through the On-Line EOC, which is a secure Website to which designated emergency managers have access.

Debris Hotline

To augment the information and support provided through Web-based tools and field staff, a Debris Hotline will be established to serve as a one-stop resource center. Federal and state personnel who have

broad knowledge and experience in debris operations will staff the Debris Hotline Center. The Debris Hotline number will only be made available to potential applicants for public assistance. In Hurricane Isabel, FEMA initially tasked the U.S. Army Corps of Engineers to staff the Debris Hotline Center due to their extensive knowledge and experience in debris management operations. Later, FEMA Debris Specialists, Tree Specialists, and Debris-Monitoring Resource Officers were assigned to support this initiative. In future events, a state representative needs to be integrated into this operation to address any questions or issues that may require knowledge of state government programs, policies, services, and resources.

Depending on the scope or nature of the disaster event, a separate dedicated hotline may be established to accommodate inquiries relating to individual debris management issues. However, in most cases these inquiries should be referred to and handled by the local emergency manager or public works official.

E-mail Support

As issues arise during recovery operations, additional guidance will be provided to applicants by the Commonwealth's debris and environmental support staff via e-mail. During Hurricane Isabel's recovery operations, e-mail served as a quick and effective way of disseminating information, as well as addressing issues identified by applicants and field personnel. However, the e-mail support went only to local emergency managers and selected state agencies that provided an e-mail contact. To improve the dissemination of information and support during recovery operations, a more comprehensive database that includes the e-mail addresses of all potential applicants—state agencies, private non-profit agencies, as well as local governments—needs to be developed in the early stages of the recovery process.

Debris Removal Priorities

The debris removal process must be initiated promptly and conducted in an orderly, effective manner to protect public health and safety following a major or catastrophic disaster. To achieve this objective, the first priority will be to clear debris from key roads to provide access for emergency vehicles and resources into the impacted area. The need and demand for critical services will be increased significantly following a disaster. Therefore, the second priority that debris removal resources will be assigned is providing access to critical facilities preidentified by state and local governments. The third priority for the debris removal teams to address will be the elimination of debris-related threats to public health and safety. This will include such things as the repair, demolition, or barricading of heavily damaged and structurally unstable buildings, systems, or facilities that pose a danger to the public. (See Tab 2 for demolition checklist.) Any actions taken to mitigate or eliminate the threat to public health and safety must be closely coordinated with the owner or responsible party. If access to the area can be controlled, the necessary action can be deferred.

Debris Removal From Public and Private Property

All state agencies with responsibility to maintain state property or rights of way will also be responsible for arranging and coordinating debris removal operations from that property using force account or contract services. Local governments are responsible for coordinating debris removal operations involving property under their authority as well as from private property when deemed in the public's interest.

According to 44 CFR 206.244, debris removal is in the public interest when it is necessary to:

- Eliminate immediate threats to life, public health and safety
- Eliminate immediate threats of significant damage to improved public and private property

- Ensure economic recovery of the affected community to the benefit of the community-at-large

FEMA determines whether work and associated costs relating to debris removal from private property is eligible for federal assistance on a case-by-case basis by conducting on-site assessments of proposed projects with state and local representatives, or reviewing the documentation provided by applicants if work was already completed. Additional guidance developed by FEMA to assist applicants in understanding the eligibility criteria relating to debris removal from private property is contained in Tabs 3 and 4. Sample Right-of Entry, Hold Harmless, and Duplication of Benefits forms are contained in Tab 5.

Due to the limited quantity of resources and service commitments of state agencies and local governments, the state and its political subdivisions will be relying heavily on private contractors to fulfill the mission of debris removal, collection, and disposal. Utilizing private contractors instead of government workers in debris removal activities has a number of benefits. It shifts the burden of conducting the work from state and local government entities to the private sector, freeing up government personnel to devote more time to their regularly assigned duties. Private contracting also stimulates local, regional, and state economies impacted by the storm, as well as maximizes state and local governments' level of assistance from the federal government. Private contracting allows the state and its political subdivisions to more closely tailor their contract services to their specific needs. The entire process (e.g., clearance, collection, transporting, reduction, and disposal, etc.) or segments of the process can be contracted out.

The Virginia Department of Emergency Management, in coordination with the Virginia Department of General Services and regional organizations in the Richmond and Hampton Roads regions, established emergency contingency contracts with nationwide contractors to expedite debris operations following a disaster. The Hampton Roads Planning District Commission, in coordination with the Southeastern Public Service Authority and the Virginia Public Service Authority, developed regional contracts using the city of Virginia Beach debris contract as a model. The jurisdictions that participated in this initiative are listed in Tab 6.

In the Richmond area, the Central Virginia Waste Management Authority coordinated the development of regional debris management contracts for their member localities, which are also listed in Tab 6.

The VDEM contract included other types of emergency services and resource needs in addition to debris management. Examples of contracts developed by local, regional, and state entities will be made available on the Virginia Department of Emergency Management secure Website to support similar debris management preparedness initiatives in other regions of the state.

The Department of General Services has developed a resource manual that includes a listing of contractors who can provide a variety of debris removal services. This listing continues to be revised based on lessons learned and resource needs identified from disaster events. Copies of the resource manual are kept at the Virginia Emergency Operations Center to support response operations and at the Department of General Services.

Monitoring of Debris Contracts

Every state agency and political subdivision will be responsible for managing debris contracts that are developed and activated from project inception to completion. Managing the debris contract includes such things as monitoring of performance, contract modifications, inspections, acceptance, payment, and closing out of activities.

All contracts must be properly monitored to ensure that work is accomplished in an efficient and timely manner while complying with all applicable environmental, health and safety, and historical regulations. Developing and implementing an effective monitoring program will also ensure the following:

- Debris being picked up is a direct result of the disaster
- Contractors are adhering to their assigned service areas and are properly managed along routes
- Truck capacities are validated to ensure accurate measurement of quantities and assessment of costs
- Truckloads are firmly packed and fully loaded to facilitate the process of estimating/validating debris quantities at TDSRS
- Proper security and safety measures are in place and being adhered to throughout every stage of debris operations

However, in order for monitoring standards and policies to be applied in a consistent manner throughout the impact area, all local, state, and federal personnel supporting the process must be properly trained to the same standard. At the same time, the applicants must understand and agree to the monitoring standards that will be employed to assess various aspects of their recovery operations. This will allow them the opportunity to adjust their staffing pattern to effectively support the requirements of standards being used.

FEMA developed a safety checklist, which appears in Tab 7, for monitors and applicants to use as a guide. Although applicants and monitors may use this guide for reference purposes, the Virginia Department of Labor and Industry's Occupational Safety and Health standards will be followed and enforced.

FEMA also developed an environmental resource booklet to support Hurricane Isabel recovery operations that outlines the pertinent laws that need to be considered when conducting specific debris removal work. The booklet, which appears in Tab 8, also includes contact information for the various state and federal environmental and historic permitting and enforcement agencies. Additional guidance in regard to historic properties appears in Tab 9.

Temporary Debris Storage and Reduction Sites

Temporary Debris Storage and Reduction Sites (TDSRS) proposed by applicants must receive an emergency permit from the Virginia Department of Environmental Quality. This can be accomplished by contacting any of their regional offices throughout the Commonwealth. The permit criteria for these sites can be found in Tab 10 and can also be accessed through their Web site.

DEQ encourages applicants to pre-select sites to the extent feasible. The pre-selection process must involve the public's participation before DEQ will consider granting the permit. Emergency permits are granted upon request, either verbally or in writing. Verbal requests must be followed with a written request within five days. The Department may also grant an emergency permit for a TDSRS immediately following a disaster event through a verbal or written request. The process is essentially the same as described above. Upon receiving verbal approval from DEQ, the applicant may begin waste operations at the site for a period extending up to 90 days, at which time operations must be terminated unless an extension is granted.

Depending on the situation, DEQ will conduct an on-site visit to inspect the site either prior to or following the commencement of debris operations. DEQ will conduct additional site visits during the operational period to ensure that the environment around the site is not compromised in any way, and upon closure the site is restored to its original state.

Debris Classification

To facilitate the disposal process, debris will be segregated by type. It is recommended that the categories of debris established for recovery operations will be standardized. The state will adapt the categories established for recovery operations by the Corps of Engineers following Hurricane Andrew (see Tab 11). Modifications to these categories can be made as needed. Hazardous and toxic materials/contaminated soils and debris generated by the event will be handled in accordance with federal, state, and local regulations.

Task Assignments

A. Department of General Services (DGS)

1. Assist with contracting for the removal of debris from state owned property.
2. Develop and maintain a list of contractors who provide debris removal, collection, reduction, and disposal services.
3. Develop a state debris contract, in coordination with the Virginia Department of Emergency Management, to assist state agencies and local jurisdictions in the development and implementation of their debris removal contracts.
4. Assist state agencies and local governments in developing cooperative agreements for debris removal.

B. Department of Environmental Quality (DEQ)

1. Provide technical assistance to state agencies, local jurisdictions, and private contractors regarding environmental issues that will arise during the debris removal, storage, reduction, and disposal process.
2. Assist state agencies and local governments in the selection, establishment, management, and closure of debris storage and reduction sites.
3. Expedite the permit process to accomplish the task at hand in an effective, timely, and efficient manner.

C. Virginia Department of Emergency Management (VDEM)

1. Coordinate and support the debris assessment and removal process following a disaster.
2. Coordinate with the appropriate regulatory agencies regarding the potential issues that may arise during disaster response and recovery and their possible resolution.
3. Assist applicants at the state and local level in the preparation and submission of federal disaster assistance applications.

D. Virginia Department of Transportation (VDOT)

1. Coordinate the removal of debris from all state transportation facilities (e.g., highways, bridges, tunnels, etc.) in an environmentally sound manner, utilizing public resources as well as private contractors.

2. Develop and maintain the necessary plans, standard operating procedures, mutual-aid agreements, and model contracts to successfully accomplish the task.
3. Pre-identify critical routes throughout the state, in cooperation with local governments.

E. Department of Forestry (DOF)

1. Coordinate the removal of debris from all state forest facilities (e.g., hiking trails, campsites, fire breaks, etc.) in an environmentally sound manner, utilizing public and private resources.
2. Develop and maintain the necessary plans, standard operating procedures, mutual-aid agreements, and model contracts to successfully accomplish the task.

F. Department of Conservation and Recreation (DCR)

1. Coordinate the removal of debris from all state park and recreation facilities (e.g., hiking trails, campsites, fire breaks, etc.) in an environmentally sound manner, utilizing public and private resources.
2. Develop and maintain the necessary plans, standard operating procedures, mutual-aid agreements, and model contracts to successfully accomplish the task.

G. All Other Support Agencies

1. Provide support within their capabilities to the debris removal mission under ESF-3 as needed.
2. Develop plans, procedures, and resources to successfully fulfill the anticipated support role.

ACTION CHECKLIST

1. Routine Operations

- a. Develop a statewide resource list of contractors who can assist state and local governments in all phases of debris management.
- b. Develop a state debris contract for state agencies and local governments to expedite the implementation of their debris management strategies.
- c. Encourage state agencies to develop mutual-aid agreements with other state agencies and local governments, as appropriate, following guidelines established in agency procurement manual.
- d. Encourage state agencies and local governments to predesignate potential debris storage sites for the type and quantity of debris anticipated following a catastrophic event.
- e. Pre-identify critical routes throughout the state in cooperation with local governments.
- f. Develop site selection criteria checklists to assist state and local governments in identifying potential debris storage sites.
- g. Identify and address potential legal, environmental, and health issues that may be generated during all stages of the debris removal process.
- h. Identify and coordinate with appropriate regulatory agencies regarding potential regulatory issues and emergency response needs.
- i. Develop the necessary right-of-entry and hold harmless agreements indemnifying all levels of government against any potential claims.
- j. Establish debris assessment process to define scope of problem.
- k. Develop and coordinate pre-scripted announcements with Public Information Office regarding debris removal process, collection times, storage sites, use of private contractors, environmental and health issues etc.

2. Increased Readiness

A natural or man-made disaster is threatening some part of the state.

- a. Review and update plans, standard operating procedures, generic contracts, and checklists relating to debris removal, storage, reduction, and disposal process.

ACTION CHECKLIST (continued)

2. Increased Readiness (continued)

- b. Alert state agencies that have debris removal responsibilities ensuring that personnel, facilities, and equipment are ready and available for emergency use.
- c. Relocate personnel and resources out of harm's way and stage in areas where they can be effectively mobilized.

- d. Review potential local, regional, and debris storage sites that may be used in the response and recovery phases in the context of the impending threat.
- e. Review resource listing of private contractors who may assist in debris removal process. Make necessary arrangements to ensure their availability in the event of disaster.

3. **Response Operations**

Activate debris management plan.

- a. Begin documenting costs.
- b. Coordinate and track resources (public, private).
- c. Establish priorities regarding allocation and use of available resources.
- d. Identify and establish debris storage and disposal sites.
- e. Address any legal, environmental, and health issues relating to the debris-removal process.
- f. Continue to keep public informed through PAO.

4. **Recovery Operations**

- a. Continue to collect, store, reduce, and dispose of debris generated from the event in a cost-effective and environmentally responsible manner.
- b. Continue to document costs.
- c. Upon completion of the debris removal mission, close out debris storage and reduction sites by developing and implementing the necessary site remediation and restoration actions.
- d. Perform necessary audits of operation and submit claim for federal assistance.

Appendix 18, Tab A

**PUBLIC ASSISTANCE PROGRAM
DEBRIS REMOVAL FACT SHEET FOR LOCAL GOVERNMENTS**

Under the Presidential disaster declaration for [STATE], the Federal Emergency Management Agency (FEMA) may provide assistance to State and local governments for costs associated with debris removal operations. (Debris removal operations include collection, pick-up, hauling, and disposal at a temporary site, segregation, reduction, and final disposal). This document provides information on the eligibility of debris removal operations for Public Assistance funding.

Questions: Questions regarding debris operations or the Public Assistance Program in general should be referred to State Public Assistance Officer, at [telephone number].

General Work Eligibility: Determination of eligibility is a FEMA responsibility. Removal and disposal of debris that is a result of the disaster, and is on public property, is eligible for Federal assistance. Public property includes roads, streets, and publicly-owned facilities. Removal of debris from parks and recreation areas is eligible when it affects public health and safety, or limits the use of those facilities.

Debris Removal from Private Property: Disaster-related debris may be removed from private property if it is pre-approved by the Federal Disaster Recovery Manager, is a public health and safety hazard, and if the work is performed by an eligible applicant, such as a municipal or county government. The cost of debris removal by private individuals is not eligible under the Public Assistance Program; however, within a specific time period, a private property owner may move disaster-related debris to the curbside for pick-up by an eligible applicant. That time period will be established by FEMA in coordination with the State. (The cost of picking up reconstruction debris is not eligible for FEMA reimbursement).

Eligible Costs: If an applicant uses force-account personnel and equipment, the cost of the equipment and overtime costs for personnel are eligible for Federal funding. If an applicant chooses to award a contract(s) for debris operations, the costs of the contracts also are eligible for Federal funding.

Applicants should exercise judicious care in contracting for debris operations, since by law, FEMA is authorized only to assist with reasonable costs. Reasonable costs are those that are fair and equitable for the type of work performed. If desired, FEMA staff will provide technical assistance on this subject prior to contract award.

Direct Federal Assistance: If disaster-related debris removal and disposal operations are beyond the capability of State and local governments to perform or contract for the work, the State may request direct Federal assistance. In such instances, FEMA will give to the U.S. Army Corps of Engineers a mission assignment to prepare, execute, and monitor contracts for debris operations.

Use of Contractors: If an applicant decides to award contracts for debris removal, FEMA advises the following:

- Do not allow contractors to make eligibility determinations; they have no authority to do so.
- Utilize pre-negotiated contracts if available.

- Consider using qualified local contractors because of their familiarity with the area.
- Utilize formal competitive procedures when time permits. If time does not permit use of normal competitive procedures, competitive bids still may be obtained using a reduced time frame for submittal of bids.
- Request copies of references, licenses, and financial records from unknown contractors.
- Document procedures used to obtain contractors.
- Do not accept contractor-provided contracts without close review. FEMA can provide technical assistance on contracts and contract procedures.

FEMA does not recommend, pre-approve, or certify any debris contractor.

FEMA does not certify or credential personnel other than official employees and Technical Assistance Contract personnel assigned to the disaster by FEMA.

Only FEMA has the authority to make eligibility determinations. (See Appendix F: Debris Contract Information.)

Types of Debris Contracts: There are three general types of contracts that may be used for debris operations:

Time and Materials Contracts may be used for short periods of time immediately after the disaster to mobilize contractors for emergency removal efforts. They must have a dollar ceiling or a not-to-exceed limit for hours (or both), and should be terminated immediately when this limit is reached.

For FEMA reimbursement, such contracts should be limited to 70 hours of actual work. The contract should state that (a) the price for equipment applies only when equipment is operating, (b) the hourly rate includes operator, fuel, maintenance, and repair, (c) the community reserves the right to terminate the contract at its convenience, and (d) the community does not guarantee a minimum number of hours.

Unit Price Contracts are based on weights (tons) or volume (cubic yards) of debris hauled, and should be used when the scope-of-work is not well defined. They require close monitoring of pick-up, hauling, and dumping to ensure that quantities are accurate. Unit price contracts may be complicated by the need to segregate debris for disposal.

Lump Sum Contracts establish the total contract price using a one-item bid from the contractor. They should be used only when the scope of work is clearly defined, with areas of work and quantities of material clearly identified. Lump-sum contracts can be defined in one of two ways: area method, where the scope of work is based on a one-time clearance of a specified area; and pass method, where the scope of work is based on a certain number of passes through a specified area, such as a given distance along a right-of-way.

Ineligible Contracts: FEMA will not provide funding for cost-plus-percentage of cost contracts, contracts contingent upon receipt of State or Federal disaster assistance funding, or contracts awarded to debarred contractors.

Contract Monitoring: The applicant should monitor the contractor's activities to ensure satisfactory performance. Monitoring includes: verification that all debris picked up is a direct result of the disaster; measuring and inspecting trucks to ensure they are fully loaded; on-site inspection of pick-up areas, debris traffic routes, temporary storage sites, and disposal areas; verification that the contractor is working in its assigned contract areas; verification that all debris reduction and disposal sites have access control and security. FEMA can provide assistance with monitoring if necessary. If an applicant has insufficient staff to properly monitor debris contract operations, the cost of hiring of additional staff for monitoring (or reasonable costs of contracting for monitoring) is eligible for Federal funding.

Documentation: To ensure that processing of Federal funding is done as quickly as possible, applicants should keep the following information: debris estimates, procurement information (bid requests, bid tabulations, etc.), contracts, invoices, and monitoring information (load tickets, scale records). If an applicant does debris removal, the payroll and equipment hours must be kept.

Technical Assistance FEMA and the State may provide technical assistance with planning, carrying out, and monitoring of debris removal operations. Applicants in need of technical assistance should contact the State Public Assistance Officer at the number given in the first paragraph.

PUBLIC ASSISTANCE PROGRAM DEBRIS CONTRACT FACT SHEET FOR LOCAL GOVERNMENTS

Many of the problems that affect Federal reimbursement for debris removal, reduction and disposal occur as a result of improper contracting procedures, incomplete or inappropriate contracts, and/or inadequate monitoring of contract operations. FEMA and/or the State can provide technical assistance on the preparation and review of debris contracts and contracting. The following information is provided to assist you in developing and monitoring debris related contracts.

1. FEMA does not certify, credential, or recommend debris contractors; nor is FEMA staff allowed to make any comments regarding previous work done by any debris contractor.
2. No debris contractor has the authority to make eligibility determinations.
3. You need to make sure that you are familiar with FEMA eligibility, and not allow the contractor to make eligibility determinations. Eligibility information is available in numerous FEMA documents including the Public Assistance Guide (FEMA 322), Public Assistance Applicant Handbook (FEMA 323), and the Public Assistance Debris Management Guide (FEMA 325) It also is available on the FEMA Website, www.fema.gov. If you have eligibility questions, call the State or FEMA.
4. Make sure the debris contract is one that contains a clear and definitive scope of work, monitoring requirements, and specific language that is required for each debris-related task.
5. Do not sign a contract provided by a contractor until it has been thoroughly reviewed by your legal representative.
6. Competitive bidding is required unless impossible to do otherwise. Many applicants have received competitive bids in very short time frames. Federal procurement regulations have very strict requirements for non-competitive bid awards. Make sure you know and understand those requirements before awarding a non-competitive or sole-source contract.
7. Be sure to comply with State and local bidding requirements.
8. You are responsible for payment of services contracted, regardless of whether or not such services are eligible for reimbursement by FEMA. Remember that FEMA is not a party to a debris-related contract entered into by you and a contractor.
9. Be aware of the limitations of time and material contracts. It is FEMA policy to reimburse for only the first 70 hours of a time and materials contract. Some contracts contain time and material clauses for certain types of work, and costs of such work may not be fully reimbursable.
10. All types of contracts must contain a requirement that records be kept that shows the amount of debris pickup-up, hauled, and/or reduced to determine reasonable costs.
11. Every contract should contain a "Termination for Convenience" clause. It is recommended that your attorney prepare this clause. An **example** of such a clause is as follows:
 "This contract may be terminated at any time for the convenience of (the contracting entity). If this clause is executed, (the contracting entity) agrees to pay the contractor for all work completed through the termination date, as well as any demobilization costs that were a part of the original contract."

12. The contract should contain a cap on the cost. When that cap is reached, a review of work accomplished and work completed should be conducted to determine work remaining. If necessary, the contract can then be modified to reflect more accurate information.
13. Be sure the contract has a reasonable period of performance for the work to be done. Monitor the work effort to ensure compliance with the schedule for completion.
14. Many services offered for a fee by contractors (training in preparing Project Worksheets, documentation requirements, eligibility information, etc.) may be available free from FEMA or the State. Be sure you are aware of those services.
15. Make sure all debris-related costs are reasonable, as FEMA cost-shares only in reasonable costs. If in doubt, call the State for assistance.
16. If you sign a contract that contains a breakdown of costs for specific services, make sure you pay only for the actual services provided.
17. In some instances, it may be necessary to use temporary debris storage and/or reduction sites. Such sites are expensive to develop, manage and restore. Don't sign a contract for the development and management of such sites unless you know it is necessary. Call the State for assistance.
18. You, not the contractor, are responsible for monitoring and certifying debris operations. Be sure you have sufficient staff deployed for that task. If you do not have enough staff, hiring additional staff is eligible for funding according to the disaster cost share (usually 75% Federal, 25% non-Federal); however, those costs must be reasonable. It is not necessary to use registered professional engineers for monitoring. Many applicants find that construction inspectors are very appropriate.
19. The provisions of the Davis-Bacon Act do not apply to State or local contracts for work completed using public assistance funds under the Stafford Act.
20. Any rebate, discount, kickback or similar means that a contractor may propose to reduce the non-Federal share of costs serves only to reduce the amount in which FEMA will cost share. FEMA cost-share is based on the net cost.
21. If a contractor proposes to "volunteer" or "donate" part of the work done by that contractor as an offset to the non-Federal share, such work is not considered eligible as a donated resource. In such an instance, the contractor is not acting as a third party.

Debris Removal Hotline 1-866-

Bob Anderson (State Public Assistance Officer) 804-
Public Assistance Fax # 804-

Appendix 18, Tab B

CHECKLIST FOR DEMOLITION OF STRUCTURES ON PRIVATE PROPERTY

The following is a suggested private property debris removal checklist. These actions will require close coordination when removing debris from demolished structures on private property:

Building demolition:

- ☐ Inspect structures to identify structures that are uninhabitable and present a hazard to the community and determine if those structures need to be demolished. (Inspections should be conducted by a qualified official that has expertise in building structures)
- ☐ Identify historic structures (Do not demolish historic structures)
- ☐ Ensure that buildings scheduled for demolition are legally condemned in accordance with local and state condemnation procedures.
- ☐ Obtain right-of-entry and hold harmless agreements from private property owners.
- ☐ Notify building occupants of demolition or debris removal activities.
- ☐ Remove hazardous materials such as paints, oils, cleaning supplies and pesticides that are found should be removed before demolishing structures.
- ☐ Identify structures that contain asbestos or lead-based paint. (Qualified hazardous waste handlers should remove asbestos and lead based paints from structures before demolishing a structure.)
- ☐ Demolition work and debris removal should be coordinated with utility companies to ensure that all services are turned off.

Appendix 18, Tab C
Criteria for FEMA involvement with regards to private property debris removal;

1. Leaning trees (related to the event);*

- Trees that are leaning (due to the event) toward improved property, or
- Leaning trees (due to the event) that threaten emergency access to the structure, or
- Trees that are leaning (due to the event) toward a public right-of-way such as sidewalks or streets

2. Felled trees (related to the event);*

- Felled trees that pose an impediment to emergency access

**FEMA will participate with costs incurred for removal of the entire tree (w/root ball) and filling of the subsequent, or existing, voids should any of the above situations be qualified as an immediate threat.*

3. Voids created by uprooted root balls(related to the event);

- For felled trees that do not pose an impediment to emergency access the void will be filled and, on a limited basis, the tension may be relieved from the remaining sub-grade root structure.

4. Hanging limbs (related to the event);

- FEMA will participate in costs associate with the removal of hanging limbs at or below the break, whichever is most reasonable to remove the threat.

All activities must be cost effective.

Appendix 18, Tab D
FEMA - DR-1491-VA
ELIGIBILITY GUIDANCE

Supplemental Assistance to Abate Hazards Caused by Uprooted Trees On Private Property

Supplemental assistance for the removal of debris from private property will be in accordance with the established FEMA guidelines. (See Attached)

Supplemental assistance may be available to eliminate immediate threats caused by uprooted trees on private property based on a site assessment by FEMA.

Supplemental assistance for the abatement of hazards caused by uprooted trees on private property is available from FEMA. However, assistance is limited to the cost to backfill the root cavity or to release the tension from the root ball when the root system is partially attached to the ground.

FEMA does not limit recovery activities on private property that are implemented by Local or State governments. However, supplemental assistance from FEMA for the costs incurred for those activities is limited.

Appendix 18, Tab E
RIGHT OF ENTRY/HOLD HARMLESS/DUPLICATION OF BENEFITS FORMS

RIGHT OF ENTRY PERMIT NO. _____
DATE _____

PROPERTY ADDRESS / DESCRIPTION

NAME (OWNER'S OR OWNER'S AUTHORIZED AGENT)

RIGHT OF ENTRY: I certify that I am the owner or the owner's authorized agent of the above-described property. I grant freely and without coercion the right of access and entry to said property to representatives of the Federal Emergency Management Agency (FEMA), the U.S. Army Corps of Engineers (USACE) and the USDA Forest Service to inspect the property for purposes of determining whether disaster-generated debris is eligible for removal under FEMA'S programs and to monitor that removal, and to (eligible applicant) _____, its agents, contractors and subcontractors for the purpose of removing and/or clearing that disaster-generated debris from that property.

HOLD HARMLESS: I understand that this permit is not an obligation upon the government to perform debris removal. I agree to hold harmless the United States Government, FEMA, USACE, the USDA Forest Service, the Commonwealth of Virginia, (eligible applicant) _____ and any of their agencies, agents, contractors, and subcontractors, for damages of any type whatsoever, either to the above-described property, or to persons situated thereon. I release, discharge, and waive any action, either legal or equitable, that might arise by reason of any action of the above entities while removing disaster-generated debris from the property. I will mark sewer lines, septic tanks, water lines and utilities located on the property.

DUPLICATION OF BENEFITS: Most homeowner's insurance policies have coverage to pay for removal of storm-generated debris. I understand that federal law (42 U.S. C. 5155 *et seq.*) requires me to reimburse (eligible applicant) _____ the cost of removing the storm- generated debris to the extent covered in my insurance policy. I also understand that I must provide a copy of the proof/statement of loss from my insurance company to (eligible applicant) _____. If I have received payment, or when I receive payment, for debris removal from my insurance company or any other source, I agree to notify and send payment and proof/statement of loss to (eligible applicant) _____. I understand that all disaster-related funding, including that for debris removal from private property, is subject to audit.

SWORN & ATTESTED
All owners/agents must sign below.

WITNESSED:

Printed Name: _____
Name: _____

Printed

Signature:_____

Signature:_____

Name	of	Insurance	Co.	Policy	No.
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REVISED 10/6/03

Appendix 18, Tab F
PRE-PLACED EMERGENCY DEBRIS CONTRACTS

Note: Use of the contract(s) is not mandatory.

Virginia Peninsulas Public Service Authority (VPPSA)

**Contractors: Crowder-Gulf (revised/decreased their rates from original contract)
Ashbritt**

Jurisdictions:

- City of Hampton
- City of Newport News
- City of Poquoson
- City of Williamsburg
- Gloucester County
- James City County
- Essex County
- King and Queen County
- King William County
- Matthews County
- Middlesex County
- York County

Central Virginia Waste Management Authority (CVWMA)

**Contractors: Grubbs Emergency Services, Inc.
DRC, Inc.**

Jurisdictions:

- Town of Ashland
- Charles City County
- Chesterfield County
- Goochland County
- Hanover County
- Henrico County
- New Kent County
- Powhatan County
- Prince George County
- City of Hopewell
- Petersburg
- Richmond City

Southeastern Public Service Authority (SPSA)


**Contractors: Crowder-Gulf
Phillips & Jordon
Ceres**

Jurisdictions:

- City of Chesapeake
- City of Franklin
- City of Norfolk
- City of Portsmouth

-
- Suffolk City
 - Virginia Beach City
 - Isle of Wight County
 - Southampton County
 - Surry County

Appendix 18, Tab G

	Federal Emergency Management Agency Office of Occupational Safety & Health
	<u>DEBRIS COLLECTION, TRANSFER, AND REDUCTION SITES</u> <u>SAFETY AUDIT FORM</u>

INSPECTOR (S):			DATE:
LOCATION:			DISASTER NUMBER:
APPLICANT:		ON-SITE FEMA PERSONNEL	
SITE SUPERVISOR		CONTRACTOR	

INSPECTION TOWER CONSTRUCTION & SAFETY		Yes	No	Comments
Structural Integrity	Are towers constructed using sound construction materials and accepted engineering practices?	<input type="checkbox"/>	<input type="checkbox"/>	
Anchorage	Are all towers properly anchored to prevent towers from falling or tipping, if hit by vehicles, strong winds or debris extending outside of truck boxes?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are all towers, including construction scaffolding, securely anchored?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are anchorage points secure and preferably of the screw anchor-type or imbedded in concrete?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are all anchorage points and guy wires clearly marked and protected by barriers that will warn drivers and other personnel to assist in preventing accidental hits by trucks or trailers?	<input type="checkbox"/>	<input type="checkbox"/>	
Accessibility	Are all ladders, stairways and railings OSHA compliant?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are stairways and side rails or permanently attached ladders used to access towers and on all walkways and workstations above 6 feet?	<input type="checkbox"/>	<input type="checkbox"/>	
Walkways	Are brooms and trash bags provided at each tower for trash cleanup?	<input type="checkbox"/>	<input type="checkbox"/>	

	Are all stairways, ramps, and walking and working surfaces free of oil, grease, loose debris and other items?	<input type="checkbox"/>	<input type="checkbox"/>	
Bump Hazards	Are all low crossbeams including scaffolding, marked with caution tape or hazard notice warnings if less than 6 feet in height on all walkway areas?	<input type="checkbox"/>	<input type="checkbox"/>	
Heating	If propane heaters are used, is adequate ventilation provided to ensure the prevention of carbon monoxide build-up?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are all combustible materials not placed or left near the heat source?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are fire extinguishers available?	<input type="checkbox"/>	<input type="checkbox"/>	
	Is cold weather clothing available to be worn if needed?	<input type="checkbox"/>	<input type="checkbox"/>	
Motorized Elevated Work Platforms	Are all safety procedures regarding dangers such as overhead power lines, equipment stability, and protection from other vehicles in place?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are scissor lifts, articulating booms or other commercial equipment, and mobile towers or trucks that are being used specifically designed and approved for outdoor use (balloon tires)?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are outriggers set in place whenever the lift is elevated?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are the owner's manual equipment requirements followed at all times?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are OSHA fall protection standards and elevated work platform standards being observed?	<input type="checkbox"/>	<input type="checkbox"/>	
PERSONAL PROTECTION & SAFETY		Yes	No	Comments
Hand Protection.	Are employees using appropriate hand protection when hands are exposed to hazards such as those from skin absorption of harmful substances, severe cuts or lacerations, severe abrasions, punctures, chemical burns, thermal burns, and harmful temperature extremes?	<input type="checkbox"/>	<input type="checkbox"/>	

	Is appropriate hand protection being used relative to the tasks to be performed, conditions present, duration of use, and hazards and potential hazards identified?	<input type="checkbox"/>	<input type="checkbox"/>	
Eye And Face Protection.	Is each employee wearing the appropriate eye or face protection when exposed to eye or face hazards from flying particles?	<input type="checkbox"/>	<input type="checkbox"/>	
	Is each employee using eye protection or detachable side protectors (e.g. clip-on or slide-on shields) that provide side protection when there is a hazard from flying objects?	<input type="checkbox"/>	<input type="checkbox"/>	
	Is each employee who wears prescription eyeglasses or contact lenses wearing eye protection that can be worn over them without disturbing the proper position of the prescription lenses?	<input type="checkbox"/>	<input type="checkbox"/>	
Foot Protection	Is each employee wearing protective footwear (preferably steel-toed safety boots or shoes) when working in areas where there is a danger of foot injuries due to falling or rolling objects, objects piercing the sole, or where feet may be exposed to electrical hazards?	<input type="checkbox"/>	<input type="checkbox"/>	
Personal Visibility	Are all personnel wearing high visibility (safety orange) vests when working on ground level at all debris sites?	<input type="checkbox"/>	<input type="checkbox"/>	
Head Protection	Are all personnel wearing protective hardhats when working in areas where there is potential for injury to the head from falling objects?	<input type="checkbox"/>	<input type="checkbox"/>	
Hearing Protection	Is hearing protection available?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are all personnel wearing, hearing protection when subjected to excessive noise and sound?	<input type="checkbox"/>	<input type="checkbox"/>	
RESPIRATORY PROTECTION		Yes	No	Comments
Respirators	Are disposable particulate respirators (dust masks) available for use by all personnel?	<input type="checkbox"/>	<input type="checkbox"/>	
	Have all personnel wearing respirators read the following statement?	<input type="checkbox"/>	<input type="checkbox"/>	
(MANDATORY) INFORMATION FOR EMPLOYEES USING RESPIRATORS WHEN NOT REQUIRED UNDER STANDARD (29 CFR 1910.134 APPENDIX D)				

Respirators are an effective method of protection against designated hazards when properly selected and worn. Respirator use is encouraged, even when exposures are below the exposure limit, to provide an additional level of comfort and protection for workers. However, if a respirator is used improperly or not kept clean, the respirator itself can become a hazard to the worker. Sometimes, workers may wear respirators to avoid exposures to hazards, even if the amount of hazardous substance does not exceed the limits set by OSHA standards. If your employer provides respirators for your voluntary use, or if you provide your own respirator, you need to take certain precautions to be sure that the respirator itself does not present a hazard.

You should do the following:

1. Read and heed all instructions provided by the manufacturer on use, maintenance, cleaning and care, and warnings regarding the respirators limitations.
2. Choose respirators certified for use to protect against the contaminant of concern. NIOSH, the National Institute for Occupational Safety and Health of the U.S. Department of Health and Human Services, certifies respirators. A label or statement of certification should appear on the respirator or respirator packaging. It will tell you what the respirator is designed for and how much it will protect you.
3. Do not wear your respirator into atmospheres containing contaminants for which your respirator is not designed to protect against. For example, a respirator designed to filter dust particles will not protect you against gases, vapors, or very small solid particles of fumes or smoke.
4. Keep track of your respirator so that you do not mistakenly use someone else's respirator.

[63 FR 1152, Jan. 8, 1998; 63 FR 20098, April 23, 1998]

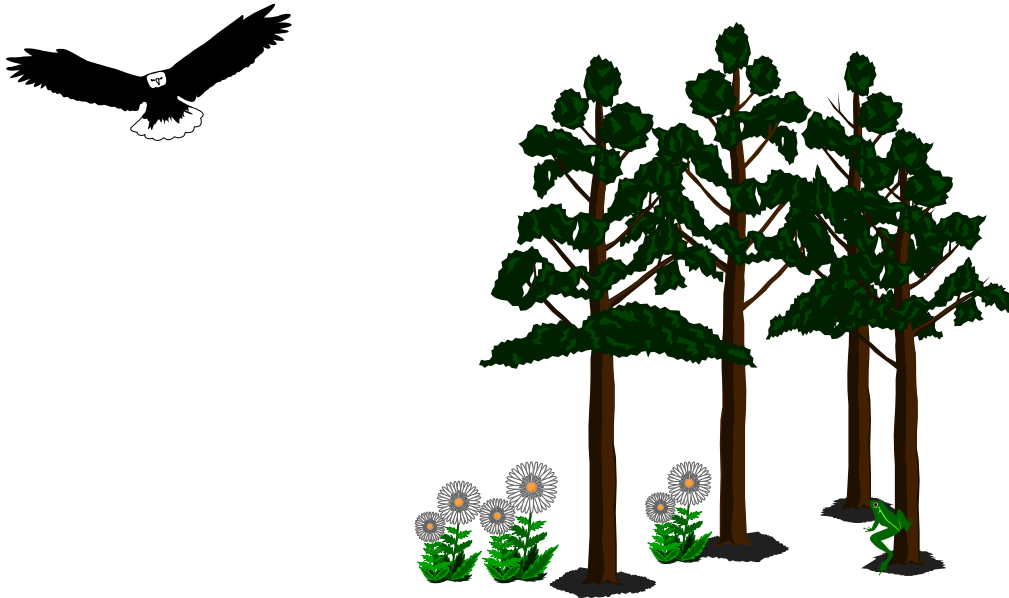
PERSONAL SAFETY & HEALTH		Yes	No	Comments
Environment	Are resources available to deal with very hot or very cold conditions (drinking water, lined gloves, insulated boots)?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are work surfaces and grip surfaces safe when wet?	<input type="checkbox"/>	<input type="checkbox"/>	
	Do workers know the symptoms of heat cramps, heatstroke?	<input type="checkbox"/>	<input type="checkbox"/>	
Training	Is each person properly assigned to a job?	<input type="checkbox"/>	<input type="checkbox"/>	
	Does initial training include a thorough review of hazards and accidents associated with the job?	<input type="checkbox"/>	<input type="checkbox"/>	
	Is adequate instruction in the use of personal protective equipment provided?	<input type="checkbox"/>	<input type="checkbox"/>	
	Is adequate instruction in the use of emergency equipment provided?	<input type="checkbox"/>	<input type="checkbox"/>	
	Is adequate instruction in the use of emergency equipment provided?	<input type="checkbox"/>	<input type="checkbox"/>	
Sanitation & Hygiene Facilities	Are portable toilets provided if no facilities are immediately available at the site?	<input type="checkbox"/>	<input type="checkbox"/>	

	Are wet wipes or waterless hand sanitizer available?	<input type="checkbox"/>	<input type="checkbox"/>	
First Aid	Is a first aid kit and bottled water available at the site?	<input type="checkbox"/>	<input type="checkbox"/>	
Conflict	Are procedures in place in the event of conflicts?	<input type="checkbox"/>	<input type="checkbox"/>	
Emergencies	Is the location and phone numbers of nearest hospital or doctor, and police available to all site personnel?	<input type="checkbox"/>	<input type="checkbox"/>	
Ergonomics	Are chairs or benches provided to prevent standing for long periods of time?	<input type="checkbox"/>	<input type="checkbox"/>	
Severe Weather:	Is a hazard communication and emergency notification plan in place to ensure severe weather watches and warnings are communicated to tower personnel and that any emergencies originating at the site can be rapidly addressed?	<input type="checkbox"/>	<input type="checkbox"/>	
	Is a mobile or fixed phone available on-site for use in the event of an emergency?	<input type="checkbox"/>	<input type="checkbox"/>	
	Is an "all news" radio station or a NOAA weather radio monitored for weather watches and warnings?	<input type="checkbox"/>	<input type="checkbox"/>	
GROUND OPERATIONS & EQUIPMENT SAFETY		Yes	No	Comments
Heavy Trucks And Machinery:	Is a traffic control system for truck traffic established?	<input type="checkbox"/>	<input type="checkbox"/>	
	Is the inspection tower stable and does it have safety barriers or traffic cones to warn vehicles from hitting the tower?	<input type="checkbox"/>	<input type="checkbox"/>	
Chippers, Tub Grinders & Conveyors	Are manufacturer's operating and safety procedures being followed for the particular chipper/grinder machine on site?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are all non-essential personnel observing a 300 ft. safety zone while machinery is in operation?	<input type="checkbox"/>	<input type="checkbox"/>	
Air Curtain Incineration	Are personnel remaining upwind and out of the plume or smoke areas?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are equipment operators checking for hazardous waste (i.e. batteries, PVC piping, solvents, pesticides, compressed gas cylinders, etc.) and munitions may not have been properly separated from "burnable" trash?	<input type="checkbox"/>	<input type="checkbox"/>	

Fire Emergency Procedures	Is there a clear fire response plan for each work area?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are fire extinguishers chosen for the type of fire most likely in that area?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are there enough extinguishers present to do the job?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are extinguisher locations conspicuously marked?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are extinguishers properly mounted and easily accessible?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are all extinguishers fully charged and operable?	<input type="checkbox"/>	<input type="checkbox"/>	
Electrical	Is the National Electrical Code adhered to in operation, use, repair and maintenance?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are junction boxes closed?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are extension cords out of the aisles where they can be abused by heavy traffic?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are extension cords being used as permanent wiring?	<input type="checkbox"/>	<input type="checkbox"/>	
Housekeeping	Is the work area clean and orderly?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are floors free from protruding nails, splinters, holes and loose boards?	<input type="checkbox"/>	<input type="checkbox"/>	
	Are covers or guardrails in place around open pits, tanks and ditches?	<input type="checkbox"/>	<input type="checkbox"/>	
Additional Comments				

Appendix 18, Tab H

THE FEDERAL EMERGENCY MANAGEMENT AGENCY
&
THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT



ENVIRONMENTAL CONSIDERATIONS
AND CONTACTS
FOR
FEMA-1491-DR-VA

THE GREENBOOK

ENVIRONMENTAL CONSIDERATIONS AND CONTACTS

FEMA-1491-DR-VA

The Federal Emergency Management Agency (FEMA) assists communities in responding to and recovering from disasters. In doing so, it is FEMA's responsibility to ensure that the requirements of numerous environmental and historical preservation laws and Executive Orders are met. This information package is designed to facilitate your application process by addressing applicable Federal and Commonwealth regulations and guidelines. This is not intended to be inclusive of all possible applicable laws, but those routinely encountered in disaster recovery.

IT IS NECESSARY FOR ANY APPLICANT RECEIVING FEMA AND COMMONWEALTH ASSISTANCE TO OBTAIN AND COMPLY WITH ALL APPLICABLE LOCAL, COMMONWEALTH AND FEDERAL LAWS, REQUIREMENTS AND PERMITS. PLEASE BE AWARE THAT FAILURE TO COMPLY MAY JEOPARDIZE FUNDING.

Please call us if you have questions or need technical assistance. This Greenbook can also be found on FEMA's website at <http://www.fema.gov/news/event.fema?id=2424>. We look forward to working with you.

Environmental Section
FEMA Disaster Field Office
7800 Carousel Avenue
Richmond, VA 23294
804-934-5400 (phone)
804-217-8541 (fax)

In the event that you are unable to reach the Environmental Office or the Disaster Field Office (DFO) closes, please call:

Hazard Mitigation Officer
Virginia Department of Emergency Management
10501 Trade Court
Richmond, VA 23236
(804) 897-6500 (phone)
(804) 897-6526 (fax)

TABLE of CONTENTS

OVERVIEW	4
GENERAL GUIDANCE TO APPLICANTS FOR FEDERAL ASSISTANCE	4
DEBRIS DISPOSAL AND HAZARDOUS MATERIALS	6
GENERAL WASTE MANAGEMENT	6
ASBESTOS AND HAZARDOUS MATERIALS	7
<i>Waste Management Contacts:</i>	7
HISTORIC PRESERVATION AND CULTURAL RESOURCES	8
STRUCTURES AND BUILDINGS	8
RELOCATION AND NEW CONSTRUCTION	8
<i>Historic Preservation Contacts:</i>	9
THREATENED AND ENDANGERED SPECIES	9
WORKING WITH WATER RESOURCES	11
GENERAL GUIDELINES FOR WORKING IN OR NEAR WATER	11
WORKING IN WETLANDS	12
WORKING IN COASTAL ZONES	12
ESSENTIAL FISH HABITAT	13
WORKING IN FLOODPLAINS	14
WORKING IN OR NEAR AMERICAN HERITAGE COMMUNITIES AND RIVERS	14
WORKING IN OR NEAR WILDERNESS AREAS, WILDLIFE REFUGES, NATIONAL FORESTS AND NATIONAL RECREATION AREAS	14
LAND DISTURBANCE	15
WORKING IN OR NEAR NATIVE AMERICAN TRIBAL LANDS OR GRAVES	16
REMINDER	16
APPENDIX A – COASTAL MANAGEMENT AREA COUNTIES, CITIES AND REVIEW GUIDELINES	17
APPENDIX B – HISTORICAL PHOTO GUIDELINE	18
APPENDIX C -- ACRONYMS USED	19

OVERVIEW

GENERAL GUIDANCE TO APPLICANTS FOR FEDERAL ASSISTANCE

All Federal environmental and historic preservation laws require compliance in order for applicants to receive **ANY** Federal funds for projects. The following usually affect FEMA funded projects:

- National Environmental Policy Act (NEPA)
- Endangered Species Act (ESA)
- National Historic Preservation Act (NHPA)
- Resource Conservation and Recovery Act (RCRA)
- Comprehensive Environmental, Response, Compensation and Liability Act (CERCLA)
- Coastal Barrier Resources Act (CBRA)
- Coastal Zone Management Act
- Clean Water Act (Section 404) (CWA)
- Clean Air Act (CAA)
- Rivers and Harbors Act (Section 10)
- Executive Order 11990 Wetlands Protection
- Executive Order 11988 Floodplain Management
- Executive Order 12898 Environmental Justice
- Executive Order 12941 Seismic Safety

Applicants are allowed to complete the following work in accordance with specific policy guidance from FEMA:

- Emergency actions (e.g., search and rescue, emergency care, issues of life and safety)
- Debris clearance (not necessarily disposal or storage/staging)
- Repair and restoration to pre-disaster condition (with no significant change in footprint to include construction area) unless the structure is older than 50 years
- Temporary repairs unless the structure is older than 50 years

Before the following actions can be taken, NEPA and other environmental or historic preservation considerations **MUST** be addressed.

- Public Assistance projects with hazard mitigation proposals
- Cleanup and/or disposal of oil and hazardous materials
- Debris disposal other than to a permitted landfill
- Projects whose footprint differs from pre-disaster condition
- Projects affecting a historic or potentially historic site or structure
- Projects affecting a currently or proposed endangered species
- Projects affecting a wetland
- Projects affecting a floodplain
- Projects with known or suspected environmental concerns

The following actions, whether approved by the Commonwealth or FEMA, must have an environmental review by FEMA prior to initiating construction:

- Improved projects
- Alternate projects
- Other projects in which the already approved scope of work has been changed

DEBRIS DISPOSAL AND HAZARDOUS MATERIALS

GENERAL WASTE MANAGEMENT

Disposal of debris and demolition waste is a major concern following any natural or manmade disaster. Debris may come in many forms such as downed trees, damaged buildings, and building materials. There may also be wastes that are hazardous. The **Virginia Department of Environmental Quality (DEQ)** oversees and regulates debris and hazardous waste management in conjunction with the **U.S. Environmental Protection Agency**. Seeking DEQ guidance is recommended when evaluating waste disposal alternatives because hazards may neither be immediately visible nor safe disposal options clear. The agency has streamlined its requirements during the declared disaster; however, in some cases solid or hazardous waste emergency permits may be required. DEQ has seven regional offices, and local officials are encouraged to contact the appropriate DEQ region.

DEQ offers advice to local officials regarding various options such as stockpiling or burning debris waste. Local officials are free to determine which available options best fit their situation. Applicants are encouraged to use the wood or else to reduce debris volume by chipping, grinding, and/or burning (in that order). Emergency stockpiles should not be sited in geographically unstable areas, must avoid wetlands at all times, and should avoid floodplains. Hazardous waste is prohibited except when located in a separate, distinct containment area (see next section).

The majority of the waste caused by Hurricane Isabel is woody, or vegetative debris. Woody debris management through mulching does not require an emergency permit. DEQ can be contacted for assistance in determining compliance with applicable laws. An emergency permit may be required to stockpile and dispose of woody waste if an approved landfill or permitted site is not available. The emergency permit request may be oral or written. Oral permits require that the applicant be fully aware of DEQ siting requirements and must be followed by a written permit within five days. The application form can be found at <http://www.deq.state.va.us/waste/wasteforms.html>. Documentation of required permits is required for Federal funding and failure to secure it may jeopardize your funding.

Individuals and businesses should plan for disposal of wastes to the extent possible before taking action to cleanup and remove the waste materials from their property. Source reduction and waste stream separation are strongly encouraged and may be necessary in many cases. Emergency permitted debris sites are generally established to only take vegetative wastes. Because most of the waste generated by Isabel is woody waste, DEQ is encouraging that other wastes be managed at existing, permitted solid waste facilities. These wastes may include:

- Spoiled foods, wet carpet, damaged furniture, etc.
- Treated and painted wood products
- White goods (including, but not limited to, refrigerators, stoves, hot water heaters, washers, dryers, dishwashers, air conditioners, and furnaces)
- Building or demolition material (friable asbestos is prohibited)

HAZARDOUS MATERIALS AND ASBESTOS

Applicants should ensure that hazardous and liquid wastes such as propane cylinders, drums of solvent, containers of pesticide, lead acid batteries, used oil filters, used motor oil, any item containing chlorofluorocarbons (CFCs), friable asbestos, radioactive waste, and regulated infectious wastes are excluded from non-hazardous debris sites and are disposed of properly. Containment strategies for hazardous waste may require an emergency permit and should follow DEQ regulations. These, too, may be issued verbally. Note that no permit is required for an immediate response to a release or an immediate response to a threat of release of hazardous waste; however, such actions should usually be taken in consultation with DEQ and/or VDEM.

Households may be dealing with flood damaged and discarded household products such as paints, cleaning chemicals and fuels. In general, citizens should hold any household hazardous wastes for normally scheduled collection events in their areas when circumstances return to normal. Household wastes may also be disposed of through normal trash collection and pickup services. In no case should citizens mix household hazardous wastes with vegetative waste or debris waste intended for management at temporarily permitted sites.

Prior to demolition or renovation of any building, outbuilding or other structure, reasonable care is needed during the removal of any ACM and transport of ACM to disposal sites. To the extent possible, ACM should not be burned but should be separated for disposal in an approved landfill. The primary source of ACM will likely be in commercial and industrial buildings in the following forms:

- Thermal, fireproofing and acoustical insulation materials (insulation for boilers, pipes, incinerators, furnaces, cooling towers, etc.)
- Transite™, an asbestos-cement product usually found in large gray sheets and in siding
- Resilient floor tiles
- Roofing felt and shingles

DEQ and the **Virginia Department of Labor and Industry (DOLI)** both regulate the handling of potential asbestos-containing material (ACM). Depending on the landfill permit, the landfill may need to obtain special approval to manage ACM. Please contact the facility prior to transport.

Waste Management Contacts:

The following offices and websites are available to provide information and guidance regarding waste management:

- DEQ Regional Offices can be found at <http://www.deq.state.va.us/>
- DEQ, Central Office, Waste Division, 804-698-4249
- DEQ, Central Permit Coordinator, Waste Division, 804-698-4214

- DEQ, Air Compliance Programs, 540-562-6830
- DOLI, Ron Graham, Waste Management, 804-786-0574
- <http://www.epa.gov/epahome/wastepgram.htm>
- <http://www.epa.gov/asbestos/help.html>
- http://www.doli.state.va.us/whatwedo/lead_asbestos/lead_asbestos.html

In addition, for hazardous chemical spills or possible contamination caused by the disaster, such as oil spills or well pollution, immediately contact:

- Hazardous Materials and Oil Spills National Response Center, 800-424-8802
- Virginia Department of Emergency Management (DEM), HAZMAT Team, 800-468-8892 (*Coordinates with various state agencies on response.*)
- Susan Lingenfelter, USFWS, 804-693-6694, Ext. 113, susan_lingenfelter@fws.gov, or Virginia Department of Game and Inland Fisheries,
(*When fish kills or oiled wildlife occurs.*)

HISTORIC PRESERVATION AND CULTURAL RESOURCES

FEMA is required by the National Historic Preservation Act (NHPA) to review effects of demolition, repair, reconstruction and relocation on historic properties within the disaster area. A historic property is any prehistoric or historic district, site, building, structure or object included in or eligible for inclusion in the National Register of Historic Places. This term includes properties of traditional, religious and cultural importance. Many properties are not on the National Register but may be eligible for listing and are afforded the same review under NHPA. Section 106 of the National Historic Preservation Act requires FEMA to consult with the **State Historic Preservation Officer (SHPO)** on projects prior to providing Federal funding. *ANY STRUCTURE RECEIVING FEDERAL, COMMONWEALTH OR MUNICIPAL ASSISTANCE THAT IS 50 YEARS OR OLDER, OR THAT OTHERWISE HAS SPECIFIC ARCHAEOLOGICAL, HISTORICAL, CULTURAL OR ARCHITECTURAL SIGNIFICANCE, MUST BE REVIEWED BEFORE BEGINNING ANY DEMOLITION, REPAIR, RECONSTRUCTION OR RELOCATION ACTIVITY.*

STRUCTURES AND BUILDINGS

Please submit the following to the SHPO through FEMA for projects involving historic or potentially historic structures:

- A project scope describing the property/structure(s) age, exact location and address, current and past use (if known), and proposed work;
- Clear photographs, hardcopy or digital (no photocopies please) of all sides of the structure (see Appendix B – Historical Photo Guideline).

RELOCATION AND NEW CONSTRUCTION

Before beginning any project involving ground disturbance, such as leveling or digging utility trenches, the SHPO must review the area for archeological concerns. Projects may include road realignment, utility relocation, material borrow pit construction or a new debris disposal site. Archeological concerns may not be immediately apparent to the average person and care must be taken not to disturb sites containing possible clues to our history. Archeological materials may include buried human remains, Native American campsites, stone tools, abandoned industrial facilities such as factories or mines, historic house foundations, wells, outhouse pits and trash scatters. Failure to take appropriate care may disqualify projects from Federal funding.

The following must be submitted to the SHPO through FEMA prior to beginning any project on previously undisturbed ground:

- An accurate map of the project area with its boundary clearly indicated (SHPO prefers a USGS topographic quad sheet whenever available);
- A brief description of all proposed work including depth for subsurface impacts.

PLEASE CEASE WORK IMMEDIATELY AND CALL THE SHPO IF ANY BURIED CULTURAL MATERIALS SUCH AS WELLS, CISTERNS, FOUNDATIONS, BASEMENTS, PREHISTORIC NATIVE AMERICAN ARTIFACTS OR HUMAN BURIALS ARE ENCOUNTERED.

Historic Preservation Contacts:

The **Virginia Department of Historic Resources** maintains records of historic properties throughout the Commonwealth. For more information regarding the potential for a property's historic eligibility, for NHPA compliance for potentially historic properties, or for projects involving surface-level or subsurface ground disturbances, visit <http://www.dhr.state.va.us/> or contact:

- **State Historic Preservation Office**, Department of Historic Resources:
 - Marc Holma, Architectural Historian, Review and Compliance, 804-367-2323, Ext. 114
 - Bob Carter, Historian & Director, Community Services Division, 804-367-2323, Ext. 105
- **FEMA Disaster Field Office**, Environmental Section, 804-346-2982

THREATENED AND ENDANGERED SPECIES

In Virginia over 70 species are listed as threatened or endangered with the **U.S. Fish and Wildlife Service (USFWS)**, along with several marine species listed by the **National Marine Fisheries Service (NMFS)**. These species are protected under the Endangered Species Act (ESA) and include birds, mammals, invertebrates (including insects), fishes, reptiles, amphibians and plants. In addition to USFWS and NMFS, the Commonwealth has two agencies that maintain their own lists of listed species and critical habitat. The **Virginia Department of Game and Inland Fisheries (DGIF)** has jurisdiction over all animals, except insects, and the **Virginia Department of Agriculture and Consumer Services (VDACS)** covers plants and insects. The Natural Heritage Division, **Virginia Department of Conservation and Recreation (DCR)**,

conducts reviews for plants and insects on behalf of VDACS and assists in preliminary screening for listed species.

Examples of listed species that may be encountered in Virginia by FEMA-funded projects include bald eagles, piping plovers, northeastern beach tiger beetles, dwarf wedge mussels, James spiny mussels, to name a few, along with some plant species. As a funding agency, FEMA is required to consult with USFWS and NMFS per Section 7 of the ESA when it is determined a listed species or critical habitat occurs within a project's area. In an effort to streamline the review process, FEMA coordinates early on with these agencies to establish terms and conditions that may apply for project approval when a listed species is known to occur. For example, if a bald eagle nest is known to occur in the area, a work window will be established according to the nesting season in Virginia (December 15-July 15), along with any special requirements (noise control, monitoring, distances, etc.).

FEMA strongly recommends jurisdictions seek professional assistance regarding threatened and endangered species and critical habitat prior to beginning any project. If clean-up or construction activities are intended on previously unaltered land, or may potentially affect the water quality or water flow within a watershed, or if you believe a listed species may be affected (positively or negatively) by your actions, further consultation is needed.

The following Commonwealth websites provide assistance in preliminary screening for listed species and critical habitat:

- **Virginia Department of Game and Inland Fisheries (DGIF)** website at <http://vafwis.org/perl/vafwis.pl/vafwis> (*Register as a user to obtain the full benefit of this website.*)
- **DGIF Online Service Coordinator**, Amy Martin, 804-367-2211, amartin@dgif.state.va.us.
- **Virginia Department of Conservation and Recreation (DCR), Natural Heritage Program**, <http://www.dcr.state.va.us/dnh/nhrinfo.htm> (*This website overlaps the DGIF website for some species; focuses primarily on plants and insects.*)

For additional information and assistance, contact:

- **USFWS**: Eric Davis, Endangered Species Biologist, Virginia Field Office, 804-693-6694, Ext. 104, eric_davis@fws.gov
- **NMFS**: Tim Goodger, Fisheries Biologist, 410-226-5723, tim.goodger@noaa.gov (*For general guidance regarding NMFS listed species.*)
- **NMFS**: Julie Crocker, Endangered Species Biologist, Office of Protected Resources, 978-281-9328, Ext. 6530 (*For specific guidance regarding NMFS listed species.*)
- **Department of Conservation and Recreation (DCR), Natural Heritage Program**: Rene Hypes, Project Review Coordinator, 804-371-2708, srhypes@dc.state.va.us (*State contact plants and insects.*)
- **Virginia Department of Agriculture and Consumer Services (VDACS)**: Keith Tignor, Office of Plant and Pest Services, 804-786-3515, ktignor@vdacs.state.va.us (*State contact for plants and insects.*)

- **Department of Game and Inland Fisheries (DGIF):** Brian Moyer, Environmental Services Biologist, (804) 367-6913, moyerb@dgif.state.va.us (*State contact for non-insect animals.*)
- **DGIF Online Service Coordinator,** Amy Martin, 804-367-2211, amartin@dgif.state.va.us

WORKING WITH WATER RESOURCES

There are many guidelines dealing with projects in or near water sources. Likely projects may include repair, demolition, or new construction to structures such as roads, culverts and bridges. Obtaining permits is the responsibility of the applicant or person performing the work and must be done prior to initiating any site activity, except for emergency actions that address immediate threats to life or property.

GENERAL GUIDELINES FOR WORKING IN OR NEAR WATER

Section 404 of the Clean Water Act (CWA) and Section 10 of the Rivers and Harbors Act apply to actions affecting waters of the United States. State laws may also apply to state-owned submerged lands and waters. Any construction, dredging, filling, or excavation in or near water, including, but not limited to, small streams, tributaries, lakes, ponds, stock tanks, construction and mining pits, and including wetlands, may require permits from the **U.S. Army Corps of Engineers (USACE)**, **Virginia Marine Resources Commission (VMRC)**, the **Virginia Department of Environmental Quality (DEQ)**, and/or local wetlands boards. This includes removal of sediment bars, channelization and bank stabilization. VMRC is the first stop in the permitting process for any project that may involve work in water, as they distribute the joint permit application to other agencies. VMRC, USACE and DEQ can be downloaded from the internet at:

- <http://www.nao.usace.army.mil/Regulatory/PN/JPA.html>

Only one copy of the application and necessary attachments needs to be submitted to VMRC, which will then send the application to other applicable agencies. These agencies may include USACE, DEQ, DGIF, DCR, local wetlands boards and the SHPO. (Additional information regarding wetlands is contained in the next section of this Greenbook.) **NOTE:** A permit is not required for removal of flood debris (woody debris, furniture, etc.) from streams if the debris is removed by hand, does not change the channel size over pre-flood dimensions, and no equipment is placed in the water. Work in non-tidal waterways where the upstream drainage area is not greater than five (5) square miles may not require authorization from VMRC.

In addition to the above, the DEQ Water Quality Division protects ground and surface water quality and minimizes existing and potential water contamination from hazardous waste and chemical spills. Notification of spill or breakage to existing systems or facilities for which discharge permits currently exist is required. DEQ performs all Commonwealth certifications under Section 401 of the National Pollution Discharge and Elimination System (NPDES) permits issued by EPA and Section 404 permits issued by USACE.

The following websites offer additional guidance:

- <http://www.deq.state.va.us/>
- www.nao.usace.army.mil/regulatory

For additional information, contact:

- Tony Watkinson, **VMRC**, 757-247-2200, Twatkinson@mrc.state.va.us
- **USACE** Norfolk Permits and Regulatory Division, 757-441-7652
- Ellen Gilinsky, **DEQ Water Protection Permit Program**, 804-698-4375, egilinsky@deq.state.va.us

WORKING IN WETLANDS

Any modification to a wetland must comply with Executive Order 11990, Protection of Wetlands, and must also follow the eight-step process, including public notification. **Debris cannot be stored in a wetland, even temporarily, without a permit.** For work conducted in a wetland such as demolition, repair, or construction activity, coordination with the **U.S. Army Corps of Engineers (USACE)** and the **Virginia Department of Environmental Quality (DEQ)** is required, along with possible coordination with VMRC and wetlands boards for tidal wetlands. The **U.S. Fish and Wildlife Service (USFWS)** and **National Resource Conservation Service (NRCS)** also have programs that assist in wetlands protection.

There are some permitting exceptions regarding wetlands. In tidal areas, work above the mean high water line along non-vegetated shorelines (wetland vegetation) does not require a tidal wetland permit from VMRC or local wetlands boards, and VMRC does not have jurisdiction outside the streambed above the ordinary high water line. In addition, governmental activity in wetlands owned or leased by the Commonwealth on a political subdivision is authorized under a wetland zoning ordinance for tidal wetlands and does not require authorization by VMRC or local wetlands boards. Even if a permit is not required by VMRC or USACE, a local land disturbance permit may be required.

For more information on permitting requirements contact:

- **USACE** Norfolk Permits and Regulatory Division, 757-441-7652
- Ellen Gilinsky, **DEQ Water Protection Permit Program**, 804-698-4375, egilinsky@deq.state.va.us
- Tony Watkinson, **VMRC**, 757-247-2200, Twatkinson@mrc.state.va.us
- Kim Marbain, **Wetlands, USFWS**, 804-693-6694, Ext. 126, kim_marbain@fws.gov
- Wade Biddix, Water Resources Coordinator, **NRCS**, 804-287-1675, wade.biddix@va.usda.gov

WORKING IN COASTAL ZONES

When working on or near coastlines, beaches, islands, salt marshes or other transitional or intertidal areas, particular care must be taken to preserve this special environment. Pursuant to the Coastal Zone Management Act of 1972, Federally-funded activities which are reasonably

likely to affect Virginia's coastal resources must be consistent with the **Virginia Coastal Resources Management Program**, of which the **Department of Environmental Quality (DEQ)** is the lead agency. DEQ is responsible for coordinating Federal consistency determinations and certifications with cooperating agencies (both state and Federal) and responding to the appropriate Federal agency or applicant. Enforceable policies that are addressed in the consistency review may include management of fisheries, land, dunes, wetlands, pollution control, shoreline sanitation and coastal lands in general. The Coastal Barrier Resources Act (CBRA) of 1982 protects natural resources associated with coastal barriers and may also apply.

There are 29 counties and 15 cities located in the coastal management area (CMA). See Appendix A for the list, along with specific review procedures required. In general, any action proposed within a designated CMA must be coordinated with DEQ to determine the impact prior to initiating any site activity, except for emergency actions that address immediate threats to life or property. Documentation of consultation and coordination with state and Federal agencies should be included with any project proposal. Detailed maps and the project scope of work should include surrounding areas, including any land extending inward to the extent necessary for shoreline control. For more information contact:

- **DEQ, Office of Environmental Impact Review**, Ellie Irons, Program Manager, 804-698-4325, elirons@deq.state.va.us (*For Federal consistency reviews.*)
- Kim Marbain, **CBRA Program**, USFWS, 804-693-6694, Ext. 126, kim_marbain@fws.gov
- Tim Goodger, Fisheries Biologist, NMFS, 410-226-5723, tim.goodger@noaa.gov (*For threatened or endangered marine species and Essential Fish Habitat – see EFH section below.*)
- <http://vafwis.org/perl/vafwis.pl/vafwis> (*DGIF website.*)

The following websites may also be useful:

- <http://www.deq.state.va.us/coastal/thezone.html>
- <http://www.deq.state.va.us/eir/federal.html>
- <http://www.fws.gov/cep/cbrtable.html> (*For additional information on CBRA.*)

ESSENTIAL FISH HABITAT

The 1996 amendments to the Magnuson-Stevens Fishery Conservation and Management Act strengthened the ability of the **National Marine Fisheries Service (NMFS)** to protect and conserve the habitat of marine, estuarine, and anadromous finfish, mollusks, and crustaceans. This habitat is termed essential fish habitat (EFH) and is broadly defined to include "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity." The Act establishes measures to protect, conserve and enhance EFH. Federal agencies must consult with NMFS on all actions or proposed actions authorized, funded, or undertaken that may adversely affect EFH. In turn NMFS must provide recommendations to conserve EFH, which may include measures to avoid, minimize, mitigate, or otherwise offset adverse effects on EFH resulting from the proposed actions. Preliminary screening for EFH can be done on the internet at the following NMFS website:

- <http://www.nero.noaa.gov/ro/doc/newefh.html>

For additional information contact:

- Lou Chiarella, **Northeast Region EFH Coordinator, NMFS**, 978-281-9277
- Tim Goodger, Fisheries Biologist, **Habitat Conservation Division, NMFS**, 410-226-5723, tim.goodger@noaa.gov (*Tim is consulted when ESF has been identified for a site.*)

WORKING IN FLOODPLAINS

Any action funded by FEMA that may affect a floodplain must be reviewed for compliance with Executive Order 11988, Floodplain Management, and follow an eight-step process, including public notification. Actions exempt from this executive order are emergency protective measures, debris removal (but not disposal), and repairs or replacements under \$5,000. Failure to follow specific guidelines may disqualify projects from Federal funding. For more information about working in a floodplain contact:

- Your local county, city, or town floodplain administrator
- Corey Garyotis, **Virginia NFIP Coordinator**, Virginia Department of Conservation and Recreation (VDCR), 804-786-8073 or
- Deborah Mills, **VDCR Floodplain Planner**, 804-217-5641 or 804-371-6135
- **National Flood Insurance Program (NFIP)**, 800-CALL FLOOD (800-225-5356)

WORKING IN OR NEAR AMERICAN HERITAGE COMMUNITIES AND RIVERS

Federal agencies are required to consult with American River Heritage Communities to ensure that federal actions have a positive effect on natural, historic, economic and cultural resources of these communities. Coordination is required prior to construction if a project is near or adjacent to a designated American Heritage River. There are two Federally-designated American Heritage Rivers in Virginia: the New and the Potomac. Projects potentially impacting either of these rivers require coordination. For either concern contact the following:

- **New River Community Partners**, 336-372-8118
- **Friends of the Potomac**, Charles Estes, 202-467-4000
- **USFWS**, Virginia, 804-693-6694.

WORKING IN OR NEAR WILDERNESS AREAS, WILDLIFE REFUGES, NATIONAL FORESTS AND NATIONAL RECREATION AREAS

Federal agencies are responsible for ensuring Wilderness Areas, Wildlife Refuges and National Recreational Areas remain unimpaired for future use and enjoyment as wilderness, along with protecting them and preserving their character. Coordination is required if a project is within,

near or adjacent to a designated wilderness area. Access to any debris removal from power line rights-of-way within a National Forest or use of the National Forest road system will require coordination with the Forest Service. For more information contact:

- **USDA Forest Service**, George Washington/Jefferson Forest Supervisor's Office, 540-265-5100.
- **USFWS**, Virginia Field Office, 804-693-6694, www.fws.gov
- <http://vafwis.org/perl/vafwis.pl/vafwis> (*DGIF website; has information on publicly owned lands, parks, etc.*)

LAND DISTURBANCE

Sites chosen for proposed mitigation alternatives within upland areas may require further coordination with natural and cultural resource agencies and land managers, particularly when the action involves work outside of the pre-disaster footprint. Construction on proposed sites supporting regionally common species of flora and fauna may adversely impact local wildlife by reducing suitable habitat. Site conditions must be documented and consultation with Commonwealth and Federal resource agencies will ensure the project does not adversely impact regional species diversity. This includes coordination with the regional **Natural Resource Conservation Service (NRCS)** before any soil disturbance occurs, with agencies listed under the Threatened and Endangered Species section of this Greenbook, and with the **Department of Historic Resources** (see Historic Preservation section). Upon completion of construction, native species shall be used to revegetate the site. For more information contact:

- **USFWS**: Eric Davis, Endangered Species Biologist, Virginia Field Office, 804-693-6694, Ext. 104, eric_davis@fws.gov
- **DCR Natural Heritage Program**: Rene Hypes, Project Review Coordinator, 804-371-2708, srhypes@dc.state.va.us (*For information on all species and natural resources; DCR assists in preliminary screening for plants and insects on behalf of VDACS.*)
- **Virginia Department of Agriculture and Consumer Services (VDACS)**: Keith Tignor, Office of Plant and Pest Services, 804-786-3515, ktignor@vdacs.state.va.us (*VDACS is the state regulatory branch for plants and insects.*)
- **Department of Game and Inland Fisheries (DGIF)**: Brian Moyer, Environmental Services Biologist, (804) 367-6913, moyerb@dgif.state.va.us (*For all animals, management, and issuance of permits for habitat modification.*)
- **DGIF Online Service Coordinator**, Amy Martin, 804-367-2211, amartin@dgif.state.va.us (*For DGIF website* <http://vafwis.org/perl/vafwis.pl/vafwis>)
- **NRCS**: Wade Biddix, Water Resources Coordinator, 804-287-1675, wade.biddix@va.usda.gov or John Myers, Environmental Specialist, 804-287-1668, john.myers@va.usda.gov
- **SHPO**: Marc Holma, Architectural Historian, Review and Compliance, 804-367-2323, Ext. 114

- **SHPO:** Bob Carter, Historian & Director, Community Services Division, 804-367-2323, Ext. 105

WORKING IN OR NEAR NATIVE AMERICAN TRIBAL LANDS OR GRAVES

Special concerns must be considered when working in or near Native American tribal lands. The National Park Service is tasked with developing a systematic process for determining the rights of lineal descendants and tribes to certain Native American human remains, funerary objects, sacred objects or objects of cultural significance. In accordance with the Native American Graves Protection and Repatriation Act (NAGPRA), the inadvertent or unplanned discovery of these items requires that all work immediately cease until the culturally affiliated tribes have been notified and consultation has been initiated. In 1983 the **Virginia Council on Indians (VCI)** was established as a link between the state government and native communities in Virginia to handle important issues that may arise. They can be reached by contacting:

- Deanna Beacham, Program Specialist, **VCI**, 804-225-2084, vci@governor.virginia.gov

REMINDER

Any applicant for FEMA assistance must obtain and comply with all local, Commonwealth and Federal environmental and historic preservation laws, requirements, approvals and permits.

Please be aware that failure to do so may jeopardize Federal funding, so let us know if we can provide any assistance. For FEMA general environmental information go to:

<http://www.fema.gov/ehp>

APPENDIX A – COASTAL MANAGEMENT AREA COUNTIES, CITIES AND REVIEW GUIDELINES

Virginia's Coastal Management Area includes most of Tidewater Virginia, as defined by the Code of Virginia § 28.2-100, and all coastal waters of the United States territorial sea, extending to the three-mile limit of Virginia sovereignty. There are 83 jurisdictions in the coastal management area. The following jurisdictions are located in the coastal management area. The counties of (including towns within):

Accomack, Isle of Wight, Northumberland, Arlington, James City, Prince George, Caroline, King George, Prince William, Charles City, King and Queen, Richmond, Chesterfield, King William, Spotsylvania, Essex, Lancaster, Stafford, Fairfax, Mathews, Surry, Gloucester, Middlesex, Westmoreland, Hanover, New Kent, York, Henrico, and Northampton.

The following 15 cities are located in Virginia's coastal management area:

Alexandria, Hampton, Portsmouth, Chesapeake, Hopewell, Richmond, Colonial Heights, Newport News, Suffolk, Norfolk, Virginia Beach, Petersburg, Williamsburg, Fredericksburg, and Poquoson.

Review Procedure for Federal Assistance Projects

Any state agency or local government applying for federal financial assistance to conduct activities in Tidewater which can affect coastal resources or uses must certify that the proposed activity will be conducted in a manner which is consistent with the Virginia Coastal Resources Management Program.

Step 1. Virginia, with the Office of Coastal Resources Management approval, determines activities with coastal effects.

Step 2. Applicants for federal assistance submit application and necessary information to DEQ pursuant to Executive Order 12372 "Intergovernmental Review of Federal Programs."

Step 3. For listed activities, DEQ conducts the review concurrently with the intergovernmental review. If none of the enforceable policies are applicable, no further action is required for the purposes of consistency. If the applicable enforceable policies are administered through permit programs, DEQ may issue a conditional concurrence contingent upon the applicant obtaining all applicable permits. If the applicant claims an exemption from the Commonwealth's permitting process, DEQ contacts the agencies administering the enforceable policies to ensure the project is consistent with the enforceable policy although a permit is not required.

Step 4. DEQ determines coastal effects of unlisted activities inside the coastal zone during the intergovernmental review process. No further action is taken for the purposes of consistency for projects with no coastal effects. For projects with coastal effects, DEQ informs the applicant and the Federal agency that the project will be reviewed under the federal consistency provisions of the Coastal Zone Management Act.

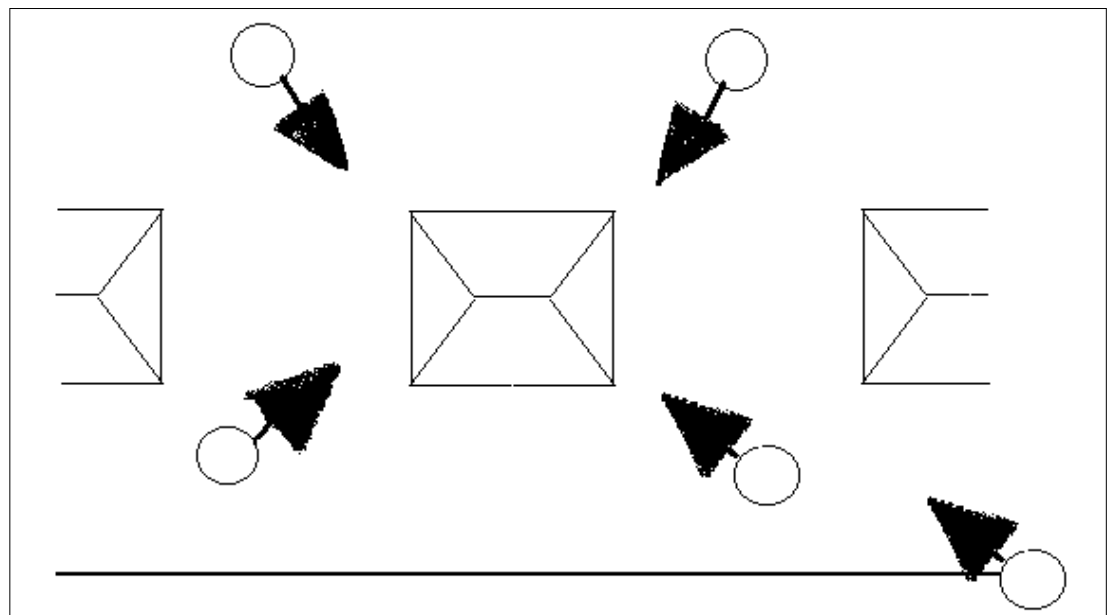
Step 5. The federal agency may not issue funding until Virginia has concurred that the project is consistent with the Virginia Coastal Resources Management Program.

APPENDIX B – HISTORICAL PHOTO GUIDELINE

HOW TO PHOTOGRAPH BUILDINGS AND STRUCTURES FOR HISTORIC PRESERVATION REVIEW

So that photographs submitted for historic preservation review are clear and discernible, please use the following guidelines:

- When using a digital camera, the camera should be set to a resolution of 640 X 480 dpi or greater (no “Thumbnail” size images please);
- When using an analog camera, use color 35 mm format film. No Polaroid instant film, which produces images lacking depth and adequate definition of details. Also, 35 mm format film is available in a wide range of film speeds but 200 or 400 ASA (ISO) film will handle most situations. In situations involving low light conditions (such as interiors) and cameras without a flash attachment and tripod, it is advisable to use a 400 or 800 speed film;
- When possible, avoid aiming camera directly toward the sun;
- In harsh lighting conditions, such as mid-day sun, try to avoid taking photographs that include portions of buildings showing both bright-lit and dark-lit areas (such as areas below overhangs and porches);
- When vegetation or other obstacles obstruct your view, it may be necessary to shoot more photographs in order to record the overall appearance of the building or structure;
- A minimum of 5 photos should be taken of each building: 1 photo of each façade so that both the entire wall and the extent of the roof line appear in the image—and 1 “streetscape” or contextual view showing the building and its neighbors. Where possible, please take each of the 5 photos at an oblique angle as shown in the site diagram below, but don’t be afraid to shoot at any other angle to get the best shot:



APPENDIX C -- ACRONYMS USED

ACM	Asbestos-containing material
CAA	Clean Air Act
CBRA	Coastal Barrier Resource Act
CERCLA	Comprehensive Environmental, Response, Compensation and Liability Act
CFR	Code of Federal Regulations
CMA	Coastal Management Area
CWA	Clean Water Act
FEMA	Federal Emergency Management Agency
DEQ	Department of Environmental Quality (Virginia)
DFO	Disaster Field Office
DGIF	Department of Game and Inland Fisheries (DGIF)
DOLI	Department of Labor and Industry (Virginia)
DR	Disaster Response
EO	Executive Order
EPA	Environmental Protection Agency
ESA	Endangered Species Act
HAZMAT	Hazardous Materials
NEPA	National Environmental Policy Act
NFIP	National Flood Insurance Program
NHPA	National Historic Preservation Act
NMFS	National Marine Fisheries Service
NPDES	National Pollution Discharge and Elimination System
NRCS	Natural Resource Conservation Service
PA	Public Assistance Program (FEMA)
RCRA	Resource Conservation and Recovery Act
SHPO	State Historic Preservation Office(r)
USACE	United States Army Corps of Engineers
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
USGS	United States Geologic Service
VCRMP	Virginia Coastal Resources Management Program
VDACS	Virginia Department of Agriculture and Consumer Services
VDEM	Virginia Department of Emergency Management
VDH	Virginia Department of Health
VMRC	Virginia Marine Resources Commission

Appendix 18, Tab I
**Field Guide for Removing Woody Debris from Properties
Eligible for or Listed on the National Register of Historic Places**

Careful consideration of debris removal techniques in historically sensitive areas (i.e. parks, battlefields, recreational areas, etc.) will minimize the risk of federal funding withdraw. Sites that are eligible for or listed on the National Register of Historic Places are especially critical and may be identified by calling the Virginia Department of Historic Resources (DHR) at (804) 367-2323, ext 124 (archives). When removing debris from historically important sites, the following measures should be pursued in order to insure that resources are not adversely impacted by federally funded undertakings.

A. Limit public access in areas where there may be looting of artifacts.

B. For work in sensitive or at-risk areas eligible for or listed on the National Register:

- **Do not use heavy machinery**
- **Remove trees by hand**
- **When it is prudent and feasible, cut rootballs off at the base and place them back in the depression to avoid further ground disturbance**

C. Limit debris containment and staging areas to service roads, parking lots, or non-sensitive landscapes.

D. Fill rootball voids with clean fill.

WHAT ARE SENSITIVE OR AT-RISK LANDSCAPES?

These are natural or human-made features or objects that contribute to the historic significance of the property. This includes such things as buildings, objects such as fences, berms, or even rocks and archaeological resources. The most at-risk landscapes are those that contain potential archaeological resources that have not yet been identified. **You must insure that you have either a positive or negative identification of the existence of archaeological resources prior to using heavy machinery or staging any debris storage in these areas.**

HOW DOES THE APPLICANT DETERMINE WHAT IS A SENSITIVE OR AT-RISK LANDSCAPE FEATURES?

Refer to any information regarding the historic site including the National Register nomination and any other architectural or archaeological surveys. Your organization may have some of this information. Also contact the Virginia Department of Historic Resources (DHR) at (804) 367-2323, ext 124 (archives). In areas that have not been previously surveyed for archaeological resources, the applicant may be required to work with a professional archaeologist who can assess the potential impacts to historic resources. An archaeologist can work with the applicant and debris removal team to determine appropriate areas for heavy equipment use and operations staging.

IF THE APPLICANT HAS A SENSITIVE LANDSCAPE, AND CANNOT LIMIT ITS WORK AS DESCRIBED IN A THROUGH D ABOVE BECAUSE EITHER IT IS NOT PRUDENT OR FEASIBLE, THEN:

The applicant must consult with FEMA and SHPO to determine ways to mitigate or reduce any potential adverse effects. This must be done prior to doing any work that may damage a resource and is

generally done with the assistance of an archaeologist or historic resource specialist. If deemed necessary, FEMA may fund the contracting of a cultural resource consultant to facilitate compliance with federal historic preservation laws.

For additional information, contact your Public Assistance Coordinator (PAC)

Appendix 18, Tab J

TEMPORARY DEBRIS STORAGE AND REDUCTION SITES

EMERGENCY DEBRIS WASTE PILE PERMIT INFORMATION (DEQ FORM EDWP-02)

Siting Criteria		Yes	No
1	Site Location Map Attached		
2	Not prone to base floods [100 year flood plain, coastal flooding] or inundation. <i>Copy of FEMA Map or Equivalent is attached</i>		
3	Site is geologically stable.		
4	Site has adequate berm area and terrain to manage leachate release.		
	Not closer than:		
5	100 feet from any regularly flowing surface water body or river.		
	200 feet from any well, spring, or other groundwater source of drinking water.		
6	WETLANDS SHALL NOT BE IMPACTED. <i>US Fish and Wildlife Service National Wetlands Inventory Map is attached.</i>		
	Site characteristics		
	Slopes less than 33%		
7	No springs seeps or other groundwater intrusions		
	No gas, water sewage, or electrical or other transmission lines under the site		
	No existing open dump, unpermitted landfill, lagoon, or similar facility on site.		
	Specific site conditions which may be considered for exemption (<i>applies only to site characteristics</i>)		
	SPECIFIED AS :		
8	No strip mines, exposed bedrock or quarries present.		
	If No, does the site have a liner as per Attachment C?		
9	Fifty-foot firebreak around disposal areas and from all treelines		
10	Does not impact cemeteries (public, private, pet) or culturally sensitive areas.		
11	Has ample access for delivery vehicles.		
12	Is anticipated waste acceptable for disposal? (90 day permit, all activities inclusive)		
13	Can the waste be segregated for disposal?		
14	Public notice form with required information attached.		
15	For pre-selected sites, was a public meeting held? (If not pre-selected site, go to 16)		
	Public Meeting Location:		
	Date: (mm/dd/yyyy)		
16	Can the site be closed in accordance with Department standards?		

Appendix 18, Tab K

DEBRIS CLASSIFICATIONS*

Definition of classifications of debris are as follows:

1. **Burnable materials:** Burnable materials will be of two types with separate burn locations.

- a. **Burnable Debris:** Burnable debris includes, but is not limited to, damaged and disturbed trees; bushes and shrubs; broken, partially broken, and severed tree limbs and bushes. Burnable debris consists predominantly of trees and vegetation. Burnable debris does not include garbage, construction, and demolition material debris.
- b. **Burnable Construction Debris:** Burnable construction and demolition debris consists of non-creosote structural timber, wood products, and other materials designated by the coordinating agency representative.

2. **Non-burnable Debris:** Non-burnable construction and demolition debris includes, but is not limited to, creosote timber; plastic; glass; rubber and metal products; sheet rock; roofing shingles; carpet; tires; and other materials as may be designated by the coordinating agency. Garbage will be considered non-burnable debris.

3. **Stumps:** Stumps will be considered tree remnants exceeding 24 inches in diameter, but no taller than 18 inches above grade, to include the stump ball. Any questionable stumps shall be referred to the designated coordinating agency representative for determination of its disposition.

4. **Ineligible Debris:** Ineligible debris to remain in place includes, but is not limited to, chemicals, petroleum products, paint products, asbestos, and power transformers.

Any material which is found to be classed as hazardous or toxic waste (HTW) shall be reported immediately to the designated coordinating agency representative. At the coordinating agency representative's direction, this material shall be segregated from the remaining debris in such a fashion as to allow the remaining debris to be loaded and transported. Standing broken utility poles, damaged and downed utility poles and appurtenances, transformers and other electrical material will be reported to the coordinating agency. Emergency workers shall exercise due caution with existing overhead and underground utilities and above-ground appurtenances and advise the appropriate authorities of any situation that poses a health or safety risk to workers on site or to the general population.

* Debris classifications developed and used by Corps of Engineers in Hurricane Andrew recovery.

Appendix 19:
Environmental Liaison Management
Contact: Gary Shirley, VDEM (804) 897-6500 x 6571

PURPOSE

The Virginia Department of Environmental Management (VDEM) will provide FEMA with an Environmental Liaison Manager (ELM) to ensure the disaster impacted Commonwealth localities perform disaster response, recovery and mitigation efforts in full compliance with all local, State, Federal Environmental and historic preservation laws.

ORGANIZATION

The ELM will utilize VDEM'S statewide Commonwealth staff to coordinate and resolve existing environmental issues with the localities. In conjunction, the ELM will closely collaborate with the Virginia Department of Environmental Quality (DEQ) with the collection, identification and disposal of household and industrial hazardous/solid waste.

Utilizing FEMA's "Environmental Considerations and Contacts" manual, termed the "Green Book", the other Federal and Commonwealth agencies the ELM will coordinate with during disaster events include the following:

1. U.S. Army Corps of Engineers (USACE): The USACE must be notified with any response, recovery or mitigation activity involving wetlands, small or large streams and rivers, tributaries, lakes, ponds, stock tanks and mining pits.
2. Virginia Marine Resources Commission (VMRC): The VMRC is the first agency to be contacted in the event water related remedial activities are required. The VMRC coordinates permit acquisition with the applicable agencies, including the USACE and DEQ.
3. National Marine Fisheries Service (NMFS): The focus of NMFS is to protect and conserve the habitat of marine and estuarine anadromous finfish, mollusks and crustaceans. This habitat, known as the essential fish habitat (EFH), is broadly defined to include "those waters and substrate necessary to fish for spawning, breeding, feeding, or growth to maturity."
4. Natural Resource Conservation Service (NRCS): Land disturbance resulting from response, recovery or mitigation, particularly outside of the pre-disaster footprint, must be coordinated with the NRCS.
5. Virginia Department of Game and Inland Fisheries (DGIF): The DGIF, along with the NRCS, must be notified when land disturbance resulting from a disaster is anticipated. Concerned with endangered and threatened species, the DGIF determines negative and positive impacts to disturbed previously unaltered land or water flow/quality for all animals except insects.
6. Virginia Department of Conservation and Resources (DCR), Natural Heritage Program: The DCR is, like the DGIF, concerned with negative impacts from land

disturbance. However, the DCR's primary focus is the negatively impacted plants and insects. In addition, the agency also controls floodplain disturbance activities.

7. U.S. Fish and Wildlife Service (USFWS): The USFWS enforces the Endangered Species Act (ESA) and includes birds, mammals, invertebrates, fishes, reptiles, amphibians and plants.
8. Virginia Department of Environmental Quality (DEQ): The DEQ plays a prominent role with most environmental aspects of a disaster. In addition to the previously mentioned collection of solid/hazardous waste, DEQ issues permits for disposal sites and closely monitors both air and water quality. Coastal zone activity is also controlled by this agency.
9. State Historic Preservation Officer (SHPO): Any structure receiving Federal, Commonwealth or municipal assistance that is 50-years or older, or that otherwise has specific archaeological, historical, cultural or architectural significance, must be reviewed before beginning any demolition, repair, reconstruction or relocation activity.
10. U.S. Department of Agriculture Forest Service (USDA): This agency must be contacted when a response, recovery or mitigation project is within, near or adjacent to a designated wilderness area. The USDA, in conjunction with the DCR, also monitors endangered plants, and, should be advised of potential impacts to same area.

ENVIRONMENTAL AND HISTORICAL PRESERVATION LAWS

Conduct all disaster response, recovery and mitigation activities in full compliance with local, Commonwealth, Federal environmental and historic preservation laws, in accordance with the "Green Book", as cited below:

1. National Environmental Policy Act (NEPA)
2. Endangered Species Act (ESA)
3. National Historic Preservation Act (NHPA)
4. Resource Conservation and Recovery Act (RCRA)
5. Comprehensive Environmental, Response, Compensation and Liability Act (CERCLA)
6. Coastal Barrier Resources Act (CBRA)
7. Coastal Zone Management Act
8. Clean Water Act (Section 404) (CWA)
9. Clean Air Act (CAA)

10. Rivers and Harbors Act (Section 10)
11. Executive Order 11990 Wetlands Protection
12. Executive Order 11988 Floodplain Management
13. Executive Order 12898 Environmental Justice
14. Executive Order 12941 Seismic Safety